



# SAN LUIS OBISPO COUNTY DEPARTMENT OF PLANNING AND BUILDING

VICTOR HOLANDA, AICP  
DIRECTOR

**TO:** PLANNING DEPARTMENT HEARING OFFICER

**FROM:** JOSH LEBOMBARD

**DATE:** AUGUST 4, 2006

**SUBJECT:** A CONTINUED HEARING TO ADDRESS A REQUEST FOR REVIEW OF A PROPOSED NEGATIVE DECLARATION BY EDWARD KERLEY AND THE OAK RIDGE HOME OWNERS, SUSAN BLAIS AND BARRY FISHER, BILL AND JANICE CURRIE, STEWART FINLAY-McLENNAN, BARBIE GRAPER, CAROLYN HENEL, BOB AND CATHY PARSONS, DENNIS AND SHARON SCHNEIDER, FOR A PROPOSED MITIGATED NEGATIVE DECLARATION FOR THE HEINBOCKEL GRADING PERMIT (PMT2004-03336) TO ALLOW GRADING FOR A SINGLE-FAMILY DWELLING AND FUTURE AGRICULTURE BUILDING THAT HAS ALREADY OCCURRED. THE GRADING HAS RESULTED IN THE DISTURBANCE OF APPROXIMATELY 23,760 SQUARE FEET ON A 48 ACRE PARCEL WITH 450 CUBIC YARDS OF CUT AND 450 CUBIC YARDS OF FILL.

## RECOMMENDATION

Adopt the proposed revised Negative Declaration ED05-021 for Heinbockel Grading Permit PMT2004-03336 based on the findings in Exhibit A and the Mitigations in Exhibit B.

## DISCUSSION

On August 5, 2005, a Mitigated Negative Declaration was issued to allow grading for a single-family dwelling and future agriculture building that has already occurred. The grading has resulted in the disturbance of approximately 23,760 square feet on a 48 acre parcel with 450 cubic yards of cut and 450 cubic yards of fill. The project site is within the Rural Land land use category and is located east of Santa Rita Old Creek Road (at 3773 Sunrise Ridge Road), approximately 4 miles west from Templeton. The site is in the Adelaida planning area.

On August 17, 2005, the Department of Planning and Building received a Request for Review of a Proposed Negative Declaration by Edward Kerley and Oak Ridge Home Owners.

On November 18, 2005, a Planning Department Hearing was held to address the issues that were raised in the Request for Review of the Mitigated Negative Declaration. The issues raised in the Request for Review are found in the staff report that was prepared for the November 18, 2005 hearing (attached).

At the November 18, 2005 hearing the San Luis Obispo County Planning Department Hearing Officer requested that the applicant prepare a hydrogeologic study to address potential impacts to water resources. The Hearing Officer also directed staff to further review potential agricultural, air quality, biological, geologic, hazardous materials, and noise impacts. The Mitigated Negative Declaration was revised to include new information resulting from the further review and was reissued on June 22, 2006.



# COUNTY OF SAN LUIS OBISPO

FOR OFFICIAL USE ONLY (JL)

## MITIGATED NEGATIVE DECLARATION & NOTICE OF DETERMINATION

ENVIRONMENTAL DETERMINATION NO. ED04-021

DATE: August 4, 2005  
REVISED: June 22, 2006

PROJECT/ENTITLEMENT: Heinbockel Grading Permit PMT2004-03336

APPLICANT NAME: Ed Heinbockel

ADDRESS: 550 Bassi Drive, San Luis Obispo, CA, 93405

CONTACT PERSON: Same as applicant

Telephone: 805-550-1172

**PROPOSED USES/INTENT:** Request by Ed Heinbockel to grade for a residential and agriculture building pad, which will result in the disturbance of approximately 23,760 square feet on a 48 acre parcel with 450 cubic yards of cut and 450 cubic yards of fill.

**LOCATION:** The proposed project is within the Rural land use category and is located at 3773 Sunrise Road, east of Santa Rita Old Creek Road, approximately 4 miles west of Templeton. The site is in the Adelaida planning area.

**LEAD AGENCY:** County of San Luis Obispo Department of Planning & Building  
County Government Center, Rm. 310  
San Luis Obispo, CA 93408-2040

**OTHER POTENTIAL PERMITTING AGENCIES:** None

**ADDITIONAL INFORMATION:** Additional information pertaining to this environmental determination may be obtained by contacting the above Lead Agency address or (805) 781-5600.

**COUNTY "REQUEST FOR REVIEW" PERIOD ENDS AT** .....5 p.m. on July 6, 2006

**20-DAY PUBLIC REVIEW PERIOD begins at the time of public notification**

### Notice of Determination

State Clearinghouse No.

This is to advise that the San Luis Obispo County \_\_\_\_\_ as ☐ Lead Agency  
☐ Responsible Agency approved/denied the above described project on \_\_\_\_\_, and has made the following determinations regarding the above described project:

The project will not have a significant effect on the environment. A Negative Declaration was prepared for this project pursuant to the provisions of CEQA. Mitigation measures were made a condition of the approval of the project. A Statement of Overriding Considerations was not adopted for this project. Findings were made pursuant to the provisions of CEQA.

This is to certify that the Negative Declaration with comments and responses and record of project approval is available to the General Public at:

Department of Planning and Building, County of San Luis Obispo,  
County Government Center, Room 310, San Luis Obispo, CA 93408-2040

Josh LeBombard

6/7/06

County of San Luis Obispo

Signature

Project Manager Name

Date

Public Agency



**COUNTY OF SAN LUIS OBISPO  
INITIAL STUDY SUMMARY - ENVIRONMENTAL CHECKLIST**

**Project Title & No.** Heinbockel Grading Permit ED05-021 PMT2004-03336

**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:** The proposed project could have a "Potentially Significant Impact" for at least one of the environmental factors checked below. Please refer to the attached pages for discussion on mitigation measures or project revisions to either reduce these impacts to less than significant levels or require further study.

- |  |  |  |
|--|--|--|
| <input type="checkbox"/> Aesthetics<br><input type="checkbox"/> Agricultural Resources<br><input checked="" type="checkbox"/> Air Quality<br><input checked="" type="checkbox"/> Biological Resources<br><input type="checkbox"/> Cultural Resources | <input checked="" type="checkbox"/> Geology and Soils<br><input checked="" type="checkbox"/> Hazards/Hazardous Materials<br><input type="checkbox"/> Noise<br><input type="checkbox"/> Population/Housing<br><input checked="" type="checkbox"/> Public Services/Utilities | <input type="checkbox"/> Recreation<br><input type="checkbox"/> Transportation/Circulation<br><input type="checkbox"/> Wastewater<br><input type="checkbox"/> Water<br><input type="checkbox"/> Land Use |
|--|--|--|

**DETERMINATION:** (To be completed by the Lead Agency)

On the basis of this initial evaluation, the Environmental Coordinator finds that:

- ☐ The proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☒ Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ The proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ The proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ Although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Josh LeBombard		June 7, 2006
Prepared by (Print)	Signature	Date
Steven McMaster		Ellen Carroll,
Reviewed by (Print)	Signature	Environmental Coordinator
	(for)	6/7/06
		Date

### **Project Environmental Analysis**

The County's environmental review process incorporates all of the requirements for completing the Initial Study as required by the California Environmental Quality Act (CEQA) and the CEQA Guidelines. The Initial Study includes staff's on-site inspection of the project site and surroundings and a detailed review of the information in the file for the project. In addition, available background information is reviewed for each project. Relevant information regarding soil types and characteristics, geologic information, significant vegetation and/or wildlife resources, water availability, wastewater disposal services, existing land uses and surrounding land use categories and other information relevant to the environmental review process are evaluated for each project. Exhibit A includes the references used, as well as the agencies or groups that were contacted as a part of the Initial Study. The Environmental Division uses the checklist to summarize the results of the research accomplished during the initial environmental review of the project.

Persons, agencies or organizations interested in obtaining more information regarding the environmental review process for a project should contact the County of San Luis Obispo Environmental Division, Rm. 310, County Government Center, San Luis Obispo, CA, 93408-2040 or call (805) 781-5600.

### **A. PROJECT**

**DESCRIPTION:** Request by Ed Heinbockel for a proposal of grading for a single-family dwelling and future agriculture building that has already occurred. The grading has resulted in the disturbance of approximately 23,760 square feet on a 48 acre parcel with 450 cubic yards of cut and 450 cubic yards of fill. The project site is within the Rural Land land use category and is located east of Santa Rita Old Creek Road (at 3773 Sunrise Ridge Road) approximately 4 miles west from Templeton. The site is in the Adelaida planning area.

A "Request for Review" of the Mitigated Negative Declaration for this project was submitted on August 17, 2005. On November 18, 2005, the Department of Planning and Building of San Luis Obispo County held a hearing to address issues raised in the "Request for Review". The Mitigated Negative Declaration was revised to address issues brought up in the "Request for Review" and also the Planning Department Hearing.

ASSESSOR PARCEL NUMBER(S): 046-241-003

SUPERVISORIAL DISTRICT # 1

### **B. EXISTING SETTING**

PLANNING AREA: Adelaida, Rural

LAND USE CATEGORY: Rural Lands

COMBINING DESIGNATION(S): None

EXISTING USES: Undeveloped

TOPOGRAPHY: Steeply sloping to moderately sloping

VEGETATION: Grasses, Oak woodland

PARCEL SIZE: 48 acres

SURROUNDING LAND USE CATEGORIES AND USES:

*North:* Rural Lands; undeveloped

*East:* Rural Lands; scattered dwelling

**C. ENVIRONMENTAL ANALYSIS**

During the Initial Study process, several issues were identified as having potentially significant environmental effects (see following Initial Study). Those potentially significant items associated with the proposed uses can be minimized to less than significant levels.

**COUNTY OF SAN LUIS OBISPO  
INITIAL STUDY CHECKLIST**

1.	<b>AESTHETICS - Will the project:</b>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a)	<b>Create an aesthetically incompatible site open to public view?</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	<b>Introduce a use within a scenic view open to public view?</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	<b>Change the visual character of an area?</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	<b>Create glare or night lighting, which may affect surrounding areas?</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e)	<b>Impact unique geological or physical features?</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f)	<b>Other:_____</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** The area's topography consists of steep hillsides slopes. The project is located on relatively steep slopes. The existing vegetation on the project site mainly consists of Coastal Oak Woodlands. The proposed project can be seen from Sunrise Ridge Road but will be aesthetically consistent with residential development that has occurred within the area. The project is considered compatible with surrounding uses.

**Impact.** No significant visual impacts are expected to occur.

**Mitigation/Conclusion.** No mitigation measures are necessary.

2.	<b>AGRICULTURAL RESOURCES - Will the project:</b>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a)	<b>Convert prime agricultural land to non-agricultural use?</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

## 2. AGRICULTURAL RESOURCES

- Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
b) <i>Impair agricultural use of other property or result in conversion to other uses?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Conflict with existing zoning or Williamson Act program?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** The soil types include: Lompico-McMullin complex, (50 - 75 % slope), Millsholm-Dibble clay loams, (15 - 30 % slope). As described in the Natural Resource Conservation Service Soil Survey, the "non-irrigated" soil class is "VI - VII", and the "irrigated" soil class is "NA".

The applicant has expressed interest in potentially planting a small future vineyard (less than 5 acres) on the property. The potential future vineyard has not been incorporated as part of this project description because the potential future agricultural use of the property as a vineyard will not be subject to permits from the County of San Luis Obispo unless the vineyard is planted on slopes greater than 30%, and because the planting of the vineyard could occur independent of the establishment of a single family residence. However, since the applicant has shown what is described as a "future vineyard" on the grading plans that were submitted to the County as part of the materials required for submittal of grading for the single family dwelling, the potential impacts of the vineyard have been analyzed.

**Impact.** The project is located in a predominantly non-agricultural area with no agricultural activities currently occurring on the property or in the immediate vicinity. If a vineyard is to be planted on the property, it would be subject to agricultural policies and programs currently in place that are specifically designed to address agricultural impacts such as soil erosion, pesticide use, and dust. A referral was sent to the San Luis Obispo County Agricultural Commissioner (Ag Commissioner) to address potential impacts of a vineyard. The Ag Commissioner responded "Grading for commercial agriculture must 'employ sound agricultural management measures and practices such as those recognized by the USDA NRCS that will not adversely affect slope stability, or groundwater recharge and will prevent off-site drainage, erosion and sedimentation impacts' (LUO 22.52.050C.1.b.). ...If the vineyard is to be irrigated, the operator has to comply with the RWCQB conditional irrigated waiver program that requires all irrigated agricultural lands to have a water quality plan and the operator/owner to have taken a 15-hour class on water quality (Mike Isensee, 5/24/06)". Furthermore, in regards to the use of pesticides, the Ag Commissioner stated "Agricultural pesticide use is regulated under state and federal law through our office. Over the counter pesticides sold directly to homeowners such as the ones you buy in retail neighborhood stores do not require a permit or any special licensing to purchase or use. A restricted materials permit from the San Luis Obispo County Agricultural Commissioner/Weights & Measures Department is required to purchase, use, and store restricted pesticides. Certification is required to use these pesticides. A landowner can be certified to use restricted materials through a Private Applicator Certificate (PAC) issued through the Ag Dept. The PAC is only for people that apply restricted pesticides to their own property. Restricted use pesticides and pesticides that only give per acre instructions are not intended for homeowner use. The use of pesticides by a certified applicator is more closely regulated than the use of "over the counter" pesticides by property owners maintaining their landscaping. Thus, in most cases, the use of

pesticides in an agricultural setting are more closely monitored and have less likelihood of neighbor impacts than typical homeowner use of pesticides (Mike Isensee, 5/24/06)".

With the utilization of current county policies relating to agricultural use, no significant impacts to agricultural resources are anticipated as a result of a vineyard on this property.

**Mitigation/Conclusion.** No mitigation measures are necessary.

<b>3. AIR QUALITY - Will the project:</b>	<b>Potentially Significant</b>	<b>Impact can &amp; will be mitigated</b>	<b>Insignificant Impact</b>	<b>Not Applicable</b>
a) <b><i>Violate any state or federal ambient air quality standard, or exceed air quality emission thresholds as established by County Air Pollution Control District?</i></b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <b><i>Expose any sensitive receptor to substantial air pollutant concentrations?</i></b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <b><i>Create or subject individuals to objectionable odors?</i></b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <b><i>Be inconsistent with the District's Clean Air Plan?</i></b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <b><i>Other: <u>Create agriculturally related dust</u></i></b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** The Air Pollution Control District (APCD) has developed the CEQA Air Quality Handbook to evaluate project specific impacts and to help determine if air quality mitigation measures are needed, or if potentially significant impacts could result. To evaluate long-term emissions, cumulative effects, and establish countywide programs to reach acceptable air quality levels, a Clean Air Plan has been adopted (prepared by APCD).

**Impact.** As proposed, the project Grading for a single-family dwelling and future agriculture building will has resulted in the total disturbance of approximately 23,760 square feet with 450 cubic yards of cut and 450 cubic yards of fill. This will-has resulted in the creation of construction dust, as well as short- and long-term vehicle emissions. Based on Table 1-1 of the CEQA Air Quality Handbook, grading for a single-family dwelling and future agriculture building the project will result in less than 10 lbs./day of pollutants, which is below thresholds warranting any mitigation.

Grading for a future vineyard will also result in the creation of construction dust, as well as operational dust from the vineyard operation. In order to ensure that the creation of dust during the construction phase of the vineyard is minimized to the extent possible, the applicant will be required to submit grading plans for the vineyard to the Resource Conservation District (RCD) for review. The RCD will ensure that appropriate management techniques are incorporated in the project design and construction.



Operational dust of the vineyard will be covered by existing agricultural policies (discussed in Section 2- Agricultural Resources). Implementation of the existing policies will ensure that air quality impacts as a result of the operation of the vineyard will be less than significant.

Mitigation/Conclusion. No mitigation measures are necessary. The applicant will be required to submit grading plans for the vineyard to the Resource Conservation District (RCD) for review. The RCD will ensure that appropriate management techniques are incorporated in the project design and construction.

<b>4. BIOLOGICAL RESOURCES -</b> <b><i>Will the project:</i></b>	<b>Potentially Significant</b>	<b>Impact can &amp; will be mitigated</b>	<b>Insignificant Impact</b>	<b>Not Applicable</b>
a) <b><i>Result in a loss of unique or special status species or their habitats?</i></b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <b><i>Reduce the extent, diversity or quality of native or other important vegetation?</i></b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) <b><i>Impact wetland or riparian habitat?</i></b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <b><i>Introduce barriers to movement of resident or migratory fish or wildlife species, or factors, which could hinder the normal activities of wildlife?</i></b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <b><i>Other:</i></b> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** The following habitats were observed on the proposed project: Coastal Oak woodland  
Based on the latest California Diversity database and other biological references, the following species or sensitive habitats were identified:

Plants: None

Wildlife: None

Habitats: Coastal Oak Woodlands

**Impact.** The project site will has impacted a total of 23,760 square feet area of Coastal Oak woodlands. A site visit was completed by Josh LeBombard to determine the number of trees impacted. As a result of the site visit, it was determined that 26 trees have been impacted. The applicant has indicated that a vineyard will be situated such that no further oak tree removal will be necessary. Therefore, no impact to the Coastal Oak woodland is expected for the development of the vineyard.

**Mitigation/Conclusion.**

All trees on-site that are within fifty feet of construction or grading activities shall be marked for protection (e.g. with flagging) and their root zone fenced prior to any grading.

The standard mitigation ratio established for impacted oak trees is 2:1. The applicant has agreed to

provide for planting, in kind at a ratio of 2:1, of oak trees to mitigate for the 26 trees impacted. A total of 52 oak trees will be required to be mitigated for the impacted trees.

As a result of this project, newly planted trees shall be maintained until successfully established. This shall include protection (e.g. tree shelters, caging) from animals (e.g. deer, rodents), regular weeding (minimum of once early Fall and once early Spring) of at least a three-foot radius out from plant and adequate watering (e.g. drip-irrigation system). Watering shall be controlled so only enough is used to initially establish the tree. Planting during the driest months (June through September) shall be avoided.

To guarantee the success of the new trees, the applicant shall retain a qualified individual (e.g. arborist, landscape architect/ contractor, nurseryman) to monitor the new trees' survivability until the trees are successfully established, and prepare monitoring reports, on an annual basis, for no less than seven years. The mitigation measures are listed in detail in Exhibit B Mitigation Summary Table.

<b>5. CULTURAL RESOURCES -</b> <b><i>Will the project:</i></b>	<b>Potentially Significant</b>	<b>Impact can &amp; will be mitigated</b>	<b>Insignificant Impact</b>	<b>Not Applicable</b>
a) <b><i>Disturb pre-historic resources?</i></b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <b><i>Disturb historic resources?</i></b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <b><i>Disturb paleontological resources?</i></b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <b><i>Other:</i></b> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** The project is located in an area historically occupied by the southern Salinan and northern Chumash . No historic structures are present and no paleontological resources are known to exist in the area.

**Impact.** The project is not located in an area that would be considered culturally sensitive due to lack of physical features typically associated with prehistoric occupation. No evidence of cultural materials was noted on the property. Impacts to historical or paleontological resources are not expected.

**Mitigation/Conclusion.** No significant cultural resource impacts are expected to occur, and no mitigation measures are necessary

<b>6. GEOLOGY AND SOILS -</b> <b><i>Will the project:</i></b>	<b>Potentially Significant</b>	<b>Impact can &amp; will be mitigated</b>	<b>Insignificant Impact</b>	<b>Not Applicable</b>
a) <b><i>Result in exposure to or production of unstable earth conditions, such as landslides, earthquakes, liquefaction, ground failure, land subsidence or other similar hazards?</i></b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <b><i>Be within a California Geological Survey "Alquist-Priolo Earthquake Fault Zone"?</i></b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

6. GEOLOGY AND SOILS - <i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
c) <i>Result in soil erosion, topographic changes, loss of topsoil or unstable soil conditions from project-related improvements, such as vegetation removal, grading, excavation, or fill?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) <i>Change rates of soil absorption, or amount or direction of surface runoff?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Include structures located on expansive soils?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Change the drainage patterns where substantial on- or off-site sedimentation/ erosion or flooding may occur?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) <i>Involve activities within the 100-year flood zone?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) <i>Be inconsistent with the goals and policies of the County's Safety Element relating to Geologic and Seismic Hazards?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) <i>Preclude the future extraction of valuable mineral resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** GEOLOGY - The topography of the project site is moderately to steeply sloped. The area proposed for development is outside of the Geologic Study Area designation. The landslide risk potential is considered high. The liquefaction potential during a ground-shaking event is considered low. No active faulting is known to exist on or near the subject property. The project is not within a known area containing serpentine or ultramafic rock or soils.

Any project within the Geologic Study area designation or within a high liquefaction area is subject to the preparation of a geological report per the County's Land Use Ordinance (LUO) section 22.14.070 (c) to evaluate the area's geological stability relating to the proposed use.

**DRAINAGE** – The area proposed for development is outside the 100-year Flood Hazard designation. The closest creek (Santa Rita Creek) from the proposed development is approximately .33 miles to the north. As described in the Natural Resource Conservation Service Soil Survey, the soil is considered moderately to very poorly drained. For areas where drainage is identified as a potential issue, the LUO (Sec. 22.52.080) includes a provision to prepare a drainage plan to minimize potential drainage impacts. When required, this plan would need to address measures such as: constructing on-site retention or detention basins, or installing surface water flow dissipaters. This plan would also need to show that the increased surface runoff would have no more impacts than that caused by historic flows.

**SEDIMENTATION AND EROSION** – The soil types include: Lompico-McMullin complex, (50 - 75 %

slope), Millsholm-Dibble clay loams, (15 - 30 % slope). As described in the NRCS Soil Survey, the soil surface is considered to have low to high erodibility and low to high shrink-swell characteristics.

When highly erosive conditions exist, a sedimentation and erosion control plan is required (LUO Sec. 22.52.090) to minimize these impacts. When required, the plan is prepared by a civil engineer to address both temporary and long-term sedimentation and erosion impacts. Projects involving more than one acre of disturbance are subject to the preparation of a Storm Water Pollution Prevention Plan (SWPPP), which focuses on controlling storm water runoff. The Regional Water Quality Control Board is the local extension that monitors this program.

**Impact.** As proposed, grading for the project has resulted in the disturbance of approximately 23,760 square feet on moderately sloped topography, which is between 0- 20%. As mentioned in Section 2-Agricultural Resources, all future grading in relation to a future vineyard will be subject to Land Use Ordinance standard 22.52.050C.1.b that states "Agricultural grading shall employ sound agricultural management measures and practices such as those recognized by USDA Natural Resource Conservation Service (NRCS) or Cooperative Extension that will not adversely affect slope stability, or groundwater recharge and will prevent off-site drainage, erosion and sedimentation impacts".

**Mitigation/Conclusion.** During construction, the applicant shall implement erosion control measures as required by the San Luis Obispo County Land Use Ordinance. If grading is to occur during the rainy season (October 15 to April 15), the applicant shall submit, by September 15<sup>th</sup> a wet season sedimentation and erosion control plan and implement the plan as required by the County Land Use Ordinance. There is no evidence that measures above what will already be required by the ordinance of codes are needed.

7. HAZARDS & HAZARDOUS MATERIALS - <i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Result in a risk of explosion or release of hazardous substances (e.g. oil, pesticides, chemicals, radiation) or exposure of people to hazardous substances?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Interfere with an emergency response or evacuation plan?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Expose people to safety risk associated with airport flight pattern?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) <i>Increase fire hazard risk or expose people or structures to high fire hazard conditions?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) <i>Create any other health hazard or potential hazard?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** The project is not located in an area of known hazardous material contamination. The

project is within a high severity risk area for fire. The project is not within the Airport Review area.

**Impact.** The project does not propose the use of hazardous materials above what is allowed by the San Luis Obispo County Land Use Ordinance. The applicant is allowed to store the following amounts on the property:

Maximum Quantity Allowed Based on Type of Storage		
Type of Liquid	Aboveground	Underground
Combustible	20,000 gallons	No limitation
Flammable	2,000 gallons	20,000 gallons

The applicant has placed a 500 gallon fuel storage tank on the property. This tank is subject to applicable state and federal standards, including regulations administered by the County Health Department, Fire Department, Sheriff's Office, Agricultural Commissioner, and Air Pollution Control District.

The project is not expected to conflict with any regional evacuation plan.

**Mitigation/Conclusion.** To minimize significant fire safety impacts, the applicant agrees to a fire safety plan that will be required during Building Permit Issuance. The applicant will be required to obtain approval from applicable agencies for the fuel storage tank.

8. NOISE - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Expose people to noise levels that exceed the County Noise Element thresholds?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Generate increases in the ambient noise levels for adjoining areas?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Expose people to severe noise or vibration?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** The project is not within close proximity of loud noise sources, and will not conflict with any sensitive noise receptors (e.g. residences).

**Impact.** The residential portion of this project is not expected to generate loud noises, nor conflict with the surrounding uses. The vineyard that may potentially be planted on this property is shown on the submitted plans to be located greater than 200 feet from the nearest property line. This distance is adequate to minimize potential noise impacts to a level of insignificance.

**Mitigation/Conclusion.** No significant noise impacts are anticipated, and no mitigation measures are necessary.

<b>9. POPULATION/HOUSING -</b> <i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Induce substantial growth in an area either directly or indirectly (e.g., through projects in an undeveloped area or extension of major infrastructure)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Displace existing housing or people, requiring construction of replacement housing elsewhere?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Create the need for substantial new housing in the area?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Use substantial amount of fuel or energy?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Other: _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting** In its efforts to provide for affordable housing, the county currently administers the Home Investment Partnerships (HOME) Program and the Community Development Block Grant (CDBG) program, which provides limited financing to projects relating to affordable housing throughout the county.

**Impact.** The project will not result in a need for a significant amount of new housing, and will not displace existing housing.

**Mitigation/Conclusion.** No significant population and housing impacts are anticipated, and no mitigation measures are necessary.

<b>10. PUBLIC SERVICES/UTILITIES -</b> <i>Will the project have an effect upon, or result in the need for new or altered public services in any of the following areas:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Fire protection?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Police protection (e.g., Sheriff, CHP)?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) <i>Schools?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) <i>Roads?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Solid Wastes?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Other public facilities?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) <i>Other: _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** The project area is served by the County Sheriff's Department and CDF/County Fire as the primary emergency responders. The closest CDF fire station is approximately 8 miles to the north. The closest Sheriff substation is in Templeton, which is approximately 7 miles from the proposed project. The project is located in the Templeton Unified School District.

**Impact.** The project's direct and cumulative impacts are within the general assumptions of allowed use for the subject property that was used to estimate the fees in place.

*Fire and Police:* Impact fees are charged new development, to help pay the cost of providing new facilities to serve the expanding rural areas. The current fire and police stations are adequate to accommodate additional residential uses in this area.

*Schools:* At buildout, the County's population will overburden the existing school system unless additional classroom space is added. State law restricts mitigation of school impacts to the levying of these fees and other measures adopted by the school district. Provision of adequate facilities for the population is the responsibility of the school district. Fees will be required through construction permits for each of the new residential structure

**Mitigation/Conclusion.** Public facility (county) and school (State Government Code 65995 et sec) fee programs have been adopted to address the project's direct and cumulative impacts, and will reduce the impacts to less than significant levels.

<b>11. RECREATION - Will the project:</b>	<b>Potentially Significant</b>	<b>Impact can &amp; will be mitigated</b>	<b>Insignificant Impact</b>	<b>Not Applicable</b>
a) <i>Increase the use or demand for parks or other recreation opportunities?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Affect the access to trails, parks or other recreation opportunities?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Other</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** The County Trails Plan shows that a potential trail does not go through the proposed project. The project is not proposed in a location that will affect any trail, park or other recreational resource.

**Impact.** The proposed project will not create a significant need for additional park or recreational resources.

**Mitigation/Conclusion.** No significant recreation impacts are anticipated, and no mitigation measures are necessary.

<b>12. TRANSPORTATION/ CIRCULATION - Will the project:</b>	<b>Potentially Significant</b>	<b>Impact can &amp; will be mitigated</b>	<b>Insignificant Impact</b>	<b>Not Applicable</b>
a) <i>Increase vehicle trips to local or areawide circulation system?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Reduce existing "Levels of Service" on public roadway(s)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

12. TRANSPORTATION/ CIRCULATION - <i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
c) <i>Create unsafe conditions on public roadways (e.g., limited access, design features, sight distance, slow vehicles)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Provide for adequate emergency access?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Result in inadequate parking capacity?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Result in inadequate internal traffic circulation?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) <i>Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., pedestrian access, bus turnouts, bicycle racks, etc.)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) <i>Result in a change in air traffic patterns that may result in substantial safety risks?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** Future development will access onto the following public road(s): Santa Rita Road. The identified roadway is operating at acceptable levels. Referrals were sent to Public Works/Caltrans. No significant traffic-related concerns were identified.

**Impact.** The proposed project is estimated to generate about 10 trips per day, based on the Institute of Traffic Engineer's manual of 10/unit. This small amount of additional traffic will not result in a significant change to the existing road service or traffic safety levels.

**Mitigation/Conclusion.** No significant traffic impacts were identified, and no mitigation measures are necessary.

13. WASTEWATER - <i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Violate waste discharge requirements or Central Coast Basin Plan criteria for wastewater systems?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Change the quality of surface or ground water (e.g., nitrogen-loading, daylighting)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>



13. WASTEWATER - <i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
c) <i>Adversely affect community wastewater service provider?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** As described in the NRCS Soil Survey (see Geology section for soil types), the main limitations for on-site wastewater systems relates to: slow percolation steep slopes, shallow depth to bedrock limitations identified. These limitations are summarized as follows:

Shallow Depth to Bedrock – indicates that there may not be sufficient soil depth to provide adequate soil filtering of effluent before reaching bedrock. Once effluent reaches bedrock, chances increase for the effluent to infiltrate cracks that could lead directly to groundwater sources or near wells without adequate filtering, or allow effluent to daylight where bedrock is exposed to the earth's surface. To comply with the Central Coast Basin Plan, additional information is needed prior to issuance of a building permit, such as borings at leach line locations, to show that there will be adequate separation between leach line and bedrock.

Steep Slopes – where portions of the soil unit contain slopes steep enough to result in potential daylighting of wastewater effluent. To comply with the Central Coast Basin Plan, additional information is needed prior to issuance of a building permit, such as slope comparison with leach line depths, to show that there is no potential of effluent “daylighting” to the ground surface.

Slow Percolation – is where fluid percolates too slowly through the soil for the natural processes to effectively break down the effluent into harmless components. The Basin Plan identifies the percolation rate should be less than 120 minutes per inch. To achieve compliance with the Central Coast Basin Plan, additional information will be needed prior to issuance of a building permit that shows the leach area can adequately percolate to achieve this threshold.

**Impact.** The project proposes to use an on-site system as its means to dispose of wastewater for the single-family residence. Based on the proposed plans, adequate area appears available for an on-site system.

**Mitigation/Conclusion.** (On-site) The leach lines shall be located at least 100 feet from any private well and at least 200 from any community/public well. Prior to building permit issuance, the septic system will be evaluated in greater detail to insure compliance with the Central Coast Basin Plan for any constraints listed above, and will not be approved if Basin Plan criteria cannot be met.

14. WATER - <i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Violate any water quality standards?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Discharge into surface waters or otherwise alter surface water quality (e.g., turbidity, temperature, dissolved oxygen, etc.)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

14. WATER - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
c) <i>Change the quality of groundwater (e.g., saltwater intrusion, nitrogen-loading, etc.)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Change the quantity or movement of available surface or ground water?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Adversely affect community water service provider?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Other: _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** The project proposes to use an on-site well as its water source

The topography of the project is nearly level. The closest creek (Santa Rita Creek) from the proposed development is approximately .33 miles away. As described in the NRCS Soil Survey, the soil surface is considered to have low erodibility.

**Impact.** As proposed, the project will has resulted in the disturbance of approximately 23,760 square feet. ~~Based on the project description, as shown below, a reasonable "worst case" indoor water usage would likely be about 1.18 acre feet/year (AFY)~~

~~\_\_\_\_\_ 1 residential lots (w/primary (0.85 afy) & secondary (0.33 afy) X 10 lots) = 1.18 afy~~

~~\_\_\_\_\_ Source: "City of Santa Barbara Water Demand Factor & Conservation Study "User Guide" (Aug., 1989)~~

A Hydrogeologic Investigation was conducted for the Heinbockel property (Fugro; March, 2006) to evaluate the potential effects that development of a single family residence and vineyard would have on water availability of the area. The study was conducted in response to concern over the potential effect of additional groundwater extractions in the area, the reliability of the water supply source, and the potential influence of the Heinbockel well on neighboring wells.

The investigation concluded that the proposal by Mr. Heinbockel will not have a significant effect on the amount of available groundwater in the area by offering the following:

- Development of the Heinbockel property will be served through the combined use of a groundwater well and spring flow. Total water demand of the property is not expected to exceed an estimated 1.75 afy (1.0 afy for the vineyard and 0.75 afy for the residence).
- The existing Heinbockel well is capable of pumping a minimum of 16 gpm on a sustained basis. Through the use of storage tanks, the operational pumping capacity of the eventual permanent pump will likely be in the 5 to 10 gpm range.
- Use of the spring flow to meet the vineyard irrigation demand will reduce the demand on the well. Because the well and spring flow all emanate from the same aquifer, interchanging the well use with spring flow will have no overall adverse impact on the aquifer. Furthermore, because the reliability of the spring flow is questionable and transient, if the spring dries up and demand is shifted to the well, the overall demand on the aquifer will not change.
- A regional hydrologic budget for the aquifer has not been conducted, but by calculating the volume of the saturated aquifer above the bottom of the Heinbockel well and applying a reasonable porosity value, it is reasonable to calculate that approximately 12,700 acre feet of water is available in storage above the bottom of the well.

- Using gross assumptions for aquifer recharge, it is estimated approximately 860 afy of water is available for recharge to the catchment area.
- With an overall project demand of approximately 1.75 afy, the Heinbockel demand represents approximately 1/100th of 1% of the available groundwater in storage. It also represents approximately 0.2% of the annual recharge to the catchment area.
- Pumping the Heinbockel well results in less than 10 feet of drawdown in the pumping well. Given the relatively low transmissivity of the aquifer and the nature of the cone of influence of confined, fracture-controlled aquifers such as this one, it is unlikely that any drawdown would be observed in any adjacent wells, particularly because the nearest neighboring well is reportedly at least 1,000 feet distant.

Furthermore, as identified in Section 4- Biological Resources, the applicant will be required to mitigate for the impact to the oak woodland by planting 52 oak trees. The oak trees will require watering for the first year to become established. In an ideal situation, all 52 trees would survive the establishment period and watering would consist of 5 gallons on the initial planting day, 3 gallons per week for the first 6 weeks, and 3 gallons per 20 days thereafter until there is a sufficient rain event. The actual amount of trees to survive the establishment period and the amount of water provided to the trees, however, would more than likely be lower. A worst case scenario would assume a watering period of approximately 9 months. An Oak tree being watered for 9 months would thus require approximately 56 gallons to become established. 56 gallons per tree multiplied by 52 trees would total approximately 3,000 gallons. 3,000 gallons is approximately 11 gallons per day for the 9 month watering period, or approximately 0.01 acre foot/year. This amount of water consumption (being extracted from the aquifer) represents less than ½ of 1% of the amount of water that will be consumed by the single family residence and vineyard. Since the amount of water to be consumed by the single family residence and vineyard was considered to be insignificant, so is the amount of water to be consumed by the oak trees that will be planted.

Once established, the oak trees will consume water that percolates through the soil during rain events. The Hydrogeologic Investigation indicates that approximately 10% of rainfall is returned to the aquifer through deep percolation. However, it also indicates that "this estimate is likely higher than actually occurs on an annual basis", because "the aquifer is also likely full, thereby rejecting most of the available recharge". Since only 10% of rainfall is returned to the aquifer through percolation, and the aquifer is likely full, the amount of water that will be consumed by the 52 required oak trees once established will have a minimal effect, if any, on water percolation and in turn the amount of water in the aquifer.

This calculation of water consumed by the established trees does not take into consideration the amount of water that is conserved through the shade provided by the establishment of these trees. The amount of water actually consumed by the trees may be offset by the amount of water conserved through decreased levels of evapotranspiration resulting from the increased level of shade provided by the trees.

**Mitigation/Conclusion.** Since no potentially significant water quantity or quality impacts were identified, no specific measures above standard requirements have been determined necessary. Standard drainage and erosion control measures will be required for the proposed project and will provide sufficient measures to adequately protect surface water quality.

<b>15. LAND USE - Will the project:</b>		<b>Inconsistent</b>	<b>Potentially Inconsistent</b>	<b>Consistent</b>	<b>Not Applicable</b>
a)	<i>Be potentially inconsistent with land use, policy/regulation (e.g., general plan [county land use element and ordinance], local coastal plan, specific plan, Clean Air Plan, etc.) adopted to avoid or mitigate for environmental effects?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	<i>Be potentially inconsistent with any habitat or community conservation plan?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	<i>Be potentially inconsistent with adopted agency environmental plans or policies with jurisdiction over the project?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	<i>Be potentially incompatible with surrounding land uses?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e)	<i>Other: _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting/Impact.** Surrounding uses are identified on Page 2 of the Initial Study. The proposed project was reviewed for consistency with policy and/or regulatory documents relating to the environment and appropriate land use (e.g., County Land Use Ordinance, Local Coastal Plan, etc.). Referrals were sent to outside agencies to review for policy consistencies (e.g., CDF for Fire Code, APCD for Clean Air Plan, etc.). The project was found to be consistent with these documents (refer also to Exhibit A on reference documents used).

The project is not within or adjacent to a Habitat Conservation Plan area. The project is consistent or compatible with the surrounding uses as summarized on page 2 of this Initial Study.

**Mitigation/Conclusion.** No inconsistencies were identified and therefore no additional measures above what will already be required was determined necessary.

<b>16. MANDATORY FINDINGS OF SIGNIFICANCE - Will the project:</b>		<b>Potentially Significant</b>	<b>Impact can &amp; will be mitigated</b>	<b>Insignificant Impact</b>	<b>Not Applicable</b>
a)	<i>Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

b) **Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)**

☐☒☐☐

c) **Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?**

☐☐☒☐

For further information on CEQA or the county's environmental review process, please visit the County's web site at "[www.sloplanning.org](http://www.sloplanning.org)" under "Environmental Review", or the California Environmental Resources Evaluation System at "[http://ceres.ca.gov/topic/env\\_law/ceqa/guidelines/](http://ceres.ca.gov/topic/env_law/ceqa/guidelines/)" for information about the California Environmental Quality Act.

### **Exhibit A - Initial Study References and Agency Contacts**

The County Planning or Environmental Division have contacted various agencies for their comments on the proposed project. With respect to the subject application, the following have been contacted (marked with an ☒) and when a response was made, it is either attached or in the application file:

<b><u>Contacted</u></b>	<b><u>Agency</u></b>	<b><u>Response</u></b>
<input type="checkbox"/>	County Public Works Department	<b>Not Applicable</b>
<input type="checkbox"/>	County Environmental Health Division	<b>Not Applicable</b>
<input checked="" type="checkbox"/>	County Agricultural Commissioner's Office	<b>In File</b>
<input type="checkbox"/>	County Airport Manager	<b>Not Applicable</b>
<input type="checkbox"/>	Airport Land Use Commission	<b>Not Applicable</b>
<input type="checkbox"/>	Air Pollution Control District	<b>Not Applicable</b>
<input type="checkbox"/>	County Sheriff's Department	<b>Not Applicable</b>
<input type="checkbox"/>	Regional Water Quality Control Board	<b>Not Applicable</b>
<input type="checkbox"/>	CA Coastal Commission	<b>Not Applicable</b>
<input type="checkbox"/>	CA Department of Fish and Game	<b>Not Applicable</b>
<input type="checkbox"/>	CA Department of Forestry	<b>Not Applicable</b>
<input type="checkbox"/>	CA Department of Transportation	<b>Not Applicable</b>
<input type="checkbox"/>	Community Service District	<b>Not Applicable</b>
<input type="checkbox"/>	Other _____	<b>Not Applicable</b>
<input type="checkbox"/>	Other _____	<b>Not Applicable</b>

*\*\* "No comment" or "No concerns"-type responses are usually not attached*

The following checked ("☒") reference materials have been used in the environmental review for the proposed project and are hereby incorporated by reference into the Initial Study. The following information is available at the County Planning and Building Department.

<input checked="" type="checkbox"/> Project File for the Subject Application	<input checked="" type="checkbox"/> <u>Adelaida Area Plan</u>
<input checked="" type="checkbox"/> <u>County documents</u>	<input type="checkbox"/> and Update EIR
<input type="checkbox"/> Airport Land Use Plans	<input type="checkbox"/> Circulation Study
<input checked="" type="checkbox"/> Annual Resource Summary Report	<input type="checkbox"/> <u>Other documents</u>
<input type="checkbox"/> Building and Construction Ordinance	<input checked="" type="checkbox"/> Archaeological Resources Map
<input type="checkbox"/> Coastal Policies	<input checked="" type="checkbox"/> Area of Critical Concerns Map
<input checked="" type="checkbox"/> Framework for Planning (Coastal & Inland)	<input checked="" type="checkbox"/> Areas of Special Biological Importance Map
<input checked="" type="checkbox"/> General Plan (Inland & Coastal), including all maps & elements; more pertinent elements considered include:	<input checked="" type="checkbox"/> California Natural Species Diversity Database
<input checked="" type="checkbox"/> Agriculture & Open Space Element	<input checked="" type="checkbox"/> Clean Air Plan
<input checked="" type="checkbox"/> Energy Element	<input checked="" type="checkbox"/> Fire Hazard Severity Map
<input checked="" type="checkbox"/> Environment Plan (Conservation, Historic and Esthetic Elements)	<input checked="" type="checkbox"/> Flood Hazard Maps
<input checked="" type="checkbox"/> Housing Element	<input checked="" type="checkbox"/> Natural Resources Conservation Service Soil Survey for SLO County
<input checked="" type="checkbox"/> Noise Element	<input checked="" type="checkbox"/> Regional Transportation Plan
<input type="checkbox"/> Parks & Recreation Element	<input checked="" type="checkbox"/> Uniform Fire Code
<input checked="" type="checkbox"/> Safety Element	<input checked="" type="checkbox"/> Water Quality Control Plan (Central Coast Basin – Region 3)
<input checked="" type="checkbox"/> Land Use Ordinance	<input checked="" type="checkbox"/> GIS mapping layers (e.g., habitat, streams, contours, etc.)
<input type="checkbox"/> Real Property Division Ordinance	<input type="checkbox"/> Other _____
<input type="checkbox"/> Trails Plan	
<input type="checkbox"/> Solid Waste Management Plan	

## Exhibit B - Mitigation Summary Table

AQ-1 The applicant will be required to submit grading plans for the vineyard to the Resource Conservation District (RCD) for review. The RCD will ensure that appropriate management techniques are incorporated in the project design and construction. Grading of the vineyard shall not occur until the RCD reviews the grading plans for the vineyard.

### TREE REMOVAL/PROTECTION

TR-1 The applicant shall limit tree removal to no more than 0 trees having a five inch diameter or larger at four feet from the ground and no more than 26 trees impacted. Construction plans shall clearly delineate all trees within 50 feet of the proposed project, and shall show which trees are to be removed or impacted, and which trees are to remain unharmed.

TR-2 At the time of application for construction permits, the applicant shall submit a tree replacement plan to be reviewed and approved by the Environmental Coordinator. The plan shall provide for the replacement, in kind at a 4:1 ratio for all oak trees removed as a result of the development of the project, and in addition, shall provide for the planting, in kind at a 2:1 ratio, of oak trees to mitigate for trees impacted but not removed. No Oaks shall be removed as a result of the development of the project, and no more than 26 trees shall be impacted, but not removed, as a result of the development of the project. Replanting shall be completed as soon as it is feasible (e.g. irrigation water is available, grading done in replant area). Replant areas shall be either in native topsoil or areas where native topsoil has been reapplied. If the latter, topsoil shall be carefully removed and stockpiled for spreading over graded areas to be replanted (set aside enough for 6-12" layer). [An oak tree is defined as having a five inch diameter or larger at four feet from the ground.]

Location of newly planted trees should adhere to the following, whenever possible: on the north side of and at the canopy/dripline edge of existing mature native trees; on north-facing slopes; within drainage swales (except when riparian habitat present); where topsoil is present; and away from continuously wet areas (e.g. lawns, leach lines).

These newly planted trees shall be maintained until successfully established. This shall include protection (e.g. tree shelters, caging) from animals (e.g., deer, rodents), regular weeding (minimum of once early Fall and once early Spring) of at least a three-foot radius out from plant and adequate watering (e.g., drip-irrigation system). Watering should be controlled so only enough is used to initially establish the tree, and reducing to zero over a three-year period. If possible, planting during the warmest, driest months (June through September) shall be avoided. In addition, standard planting procedures (e.g., planting tablets, initial deep watering) shall be used.

Once trees have been planted and prior to final inspection of the grading permit, the applicant shall retain a qualified individual (e.g., landscape contractor, arborist, nurseryman, botanist) to prepare a letter stating how and when the above planting and protection measures have been completed. This letter shall be submitted to the Environmental Coordinator.

TR-3 To guarantee the success of the new trees, the applicant shall retain a qualified individual (e.g., arborist, landscape architect/ contractor, nurseryman) to monitor the new trees' survivability and vigor until the trees are successfully established, and prepare monitoring reports, on an annual basis, for no less seven years. Based on the submittal of the initial

planting letter, the first report shall be submitted to the County Environmental Coordinator one year after the initial planting and thereafter on an annual basis until the monitor, in consultation with the County, has determined that the initially-required vegetation is successfully established. Additional monitoring will be necessary if initially-required vegetation is not considered successfully established. The applicant, and successors-in-interest, agrees to complete any necessary remedial measures identified in the report(s) to maintain the population of initially planted vegetation and approved by the Environmental Coordinator.

- TR-4 Prior to occupancy or final inspection, whichever occurs first, the applicant shall have completed the following as it relates to weed removal around newly planted vegetation: 1) no herbicides shall have been used; 2) either installation of a securely staked "weed mat" (covering at least a 3-foot radius from center of plant), or hand removal of weeds (covering at least a 3-foot radius from center of plant) shall be completed for each new plant (this hand removal weeding shall be kept up on a regular basis [at least once in late spring (April) and once in early winter (December) until plant is 3 feet tall or seven years, whichever occurs first. Use of weed-free mulch (at least 3" deep) with regular replenishment may be substituted for the weed-mat.
- TR-5 All oak trees identified to remain shall not be removed. Unless previously approved by the county, the following activities are not allowed within the root zone of existing or newly planted oak trees: year-round irrigation (no summer watering, unless "establishing" new tree or native compatible plant(s) for up to 3 years); grading (includes cutting and filling of material); compaction (e.g., regular use of vehicles); placement of impermeable surfaces (e.g., pavement); disturbance of soil that impacts roots (e.g., tilling).
- TR-6 The applicant recognizes that trimming of oaks can be detrimental in the following respects and agrees to minimize trimming of the remaining oaks: removal of larger lower branches should be minimized to 1) avoid making tree top heavy and more susceptible to "blow-overs", 2) reduce having larger limb cuts that take longer to heal and are much more susceptible to disease and infestation, 3) retain the wildlife that is found only in the lower branches, 4) retains shade to keep summer temperatures cooler (retains higher soil moisture, greater passive solar potential, provides better conditions for oak seedling volunteers) and 5) retain the natural shape of the tree. Limit the amount of trimming (roots or canopy) done in anyone season as much as possible to limit tree stress/shock (10% or less is best, 25% maximum). Excessive and careless trimming not only reduces the potential life of the tree, but can also reduce property values if the tree dies prematurely or has an unnatural appearance. If trimming is necessary, the applicant agrees to either use a skilled arborist or apply accepted arborist's techniques when removing limbs. Unless a hazardous or unsafe situation exists, trimming shall be done only during the winter for deciduous species.

Smaller trees (smaller than five inches in diameter at four feet above the ground) within the project area are considered to be of high importance, and when possible, shall be given similar consideration as larger trees.

- TR-7 To minimize impacts to the sensitive oak woodland understory habitat (e.g. maritime chaparral, coastal scrub), the applicant agrees to the following during construction and for the life of the project:



- a. All native vegetation removal shall be shown on all applicable grading/ construction or improvement plans, and reviewed/ approved by the County (Planning and Building Dept.) before any work begins.
- b. Vegetation removal of native habitat shall be limited to what is shown on the county-approved grading/ construction /improvement plans.
- c. Vegetation clearance for fire safety purposes shall be limited to the minimum setbacks required by CDF. Where feasible, all efforts will be made to retain as much of this vegetation within the setback as possible (e.g. remove/trim only enough vegetation to create non-contiguous islands of native vegetation).
- d. No livestock shall be allowed within the native habitat area.
- e. All allowed uses within the native habitat area shall be "passive", where the use will have either no or minimal impact on the habitat.

HZ-1 The applicant shall obtain approval from applicable state and federal standards, including the County Health Department, Fire Department, Sheriff's Office, Agricultural Commissioner, and Air Pollution Control District for the 500 gallon fuel storage tank on the property.

Date: June 7, 2006

**Developer's Statement  
for  
Heinbockel Grading Permit PMT2004-03336**

The applicant agrees to incorporate the following measures into the project. These measures become a part of the project description and therefore become a part of the record of action upon which the environmental determination is based. All development activity must occur in strict compliance with the following mitigation measures. These measures shall be perpetual and run with the land. These measures are binding on all successors in interest of the subject property.

**Note:** The items contained in the boxes labeled "Monitoring" describe the County procedures to be used to ensure compliance with the mitigation measures.

The following mitigation measures address impacts that may occur as a result of the development of the project.

AQ-1 The applicant will be required to submit grading plans for the vineyard to the Resource Conservation District (RCD) for review. The RCD will ensure that appropriate management techniques are incorporated in the project design and construction. Grading of the vineyard shall not occur until the RCD reviews the grading plans for the vineyard.

**Monitoring:** Department of Planning and Building will require the applicant to submit a letter to the Department indicating that the RCD has reviewed the plans

**TREE REMOVAL/PROTECTION**

TR-1 The applicant shall limit tree removal to no more than 0 trees having a five inch diameter or larger at four feet from the ground *and no more than 26 trees impacted*. Construction plans shall clearly delineate all trees within 50 feet of the proposed project, and shall show which trees are to be removed or impacted, and which trees are to remain unharmed.

**Monitoring:** Department of Planning and Building will verify inclusion of required elements on plans. Building inspector will verify compliance with approved plans.

TR-2 **At the time of application for construction permits**, the applicant shall submit a tree replacement plan to be reviewed and approved by the Environmental Coordinator. The plan shall provide for the replacement, in kind at a 4:1 ratio for all *oak* trees removed as a result of the development of the project, and in addition, shall provide for the planting, in kind at a 2:1 ratio, of oak trees to mitigate for trees impacted but not removed. **No Oaks shall be removed as a result of the development of the project**

**and no more than 26 trees shall be impacted**, but not removed, as a result of the development of the project. Replanting shall be completed as soon as it is feasible (e.g. irrigation water is available, grading done in replant area). Replant areas shall be either in native topsoil or areas where native topsoil has been reapplied. If the latter, topsoil shall be carefully removed and stockpiled for spreading over graded areas to be replanted (set aside enough for 6-12" layer). *[An oak tree is defined as having a five inch diameter or larger at four feet from the ground.]*

Location of newly planted trees should adhere to the following, whenever possible: on the north side of and at the canopy/dripline edge of existing mature native trees; on north-facing slopes; within drainage swales (except when riparian habitat present); where topsoil is present; and away from continuously wet areas (e.g. lawns, leach lines).

These newly planted trees shall be maintained until successfully established. This shall include protection (e.g. tree shelters, caging) from animals (e.g., deer, rodents), regular weeding (minimum of once early Fall and once early Spring) of at least a three-foot radius out from plant and adequate watering (e.g., drip-irrigation system). Watering should be controlled so only enough is used to initially establish the tree, and reducing to zero over a three-year period. If possible, planting during the warmest, driest months (June through September) shall be avoided. In addition, standard planting procedures (e.g., planting tablets, initial deep watering) shall be used.

Once trees have been planted and **prior to final inspection** of the grading permit, the applicant shall retain a qualified individual (e.g., landscape contractor, arborist, nurseryman, botanist) to prepare a letter stating how and when the above planting and protection measures have been completed. This letter shall be submitted to the *Environmental Coordinator*.

**Monitoring:** Compliance will be verified by the Department of Planning and Building in consultation with the Environmental Coordinator.

- TR-3 To guarantee the success of the new trees, the applicant shall retain a qualified individual (e.g., arborist, landscape architect/ contractor, nurseryman) to monitor the new trees' survivability and vigor until the trees are successfully established, and prepare monitoring reports, on an annual basis, for no less seven years. Based on the submittal of the initial planting letter, the first report shall be submitted to the County Environmental Coordinator one year after the initial planting and thereafter on an annual basis until the monitor, in consultation with the County, has determined that the initially-required vegetation is successfully established. Additional monitoring will be necessary if initially-required vegetation is not considered successfully established. The applicant, and successors-in-interest, agrees to complete any necessary remedial measures identified in the report(s) to maintain the population of initially planted vegetation and approved by the Environmental Coordinator.

**Monitoring:** Compliance will be verified by the Environmental Coordinator.

- TR-4 **Prior to occupancy or final inspection, whichever occurs first**, the applicant shall have completed the following as it relates to weed removal around newly planted vegetation: 1) no herbicides shall have been used; 2) either installation of a securely staked "weed mat" (covering at least a 3-foot radius from center of plant), or hand

removal of weeds (covering at least a 3-foot radius from center of plant) shall be completed for each new plant (this hand removal weeding shall be kept up on a regular basis [at least once in late spring (April) and once in early winter (December) until plant is 3 feet tall or seven years, whichever occurs first. Use of weed-free mulch (at least 3" deep) with regular replenishment may be substituted for the weed-mat.

**Monitoring:** Compliance will be verified by the Department of Planning and Building, in consultation with the Environmental Coordinator.

- TR-5 All oak trees identified to remain shall not be removed. Unless previously approved by the county, the following activities are not allowed within the root zone of existing or newly planted oak trees: year-round irrigation (no summer watering, unless "establishing" new tree or native compatible plant(s) for up to 3 years); grading (includes cutting and filling of material); compaction (e.g., regular use of vehicles); placement of impermeable surfaces (e.g., pavement); disturbance of soil that impacts roots (e.g., tilling).

**Monitoring:** Department of Planning and Building, in consultation with the Environmental Coordinator, will be available to advise applicants on tree protection issues.

- TR-6 The applicant recognizes that trimming of oaks can be detrimental in the following respects and agrees to minimize trimming of the remaining oaks: removal of larger lower branches should be minimized to 1) avoid making tree top heavy and more susceptible to "blow-overs", 2) reduce having larger limb cuts that take longer to heal and are much more susceptible to disease and infestation, 3) retain the wildlife that is found only in the lower branches, 4) retains shade to keep summer temperatures cooler (retains higher soil moisture, greater passive solar potential, provides better conditions for oak seedling volunteers) and 5) retain the natural shape of the tree. Limit the amount of trimming (roots or canopy) done in anyone season as much as possible to limit tree stress/shock (10% or less is best, 25% maximum). Excessive and careless trimming not only reduces the potential life of the tree, but can also reduce property values if the tree dies prematurely or has an unnatural appearance. If trimming is necessary, the applicant agrees to either use a skilled arborist or apply accepted arborist's techniques when removing limbs. Unless a hazardous or unsafe situation exists, trimming shall be done only during the winter for deciduous species.

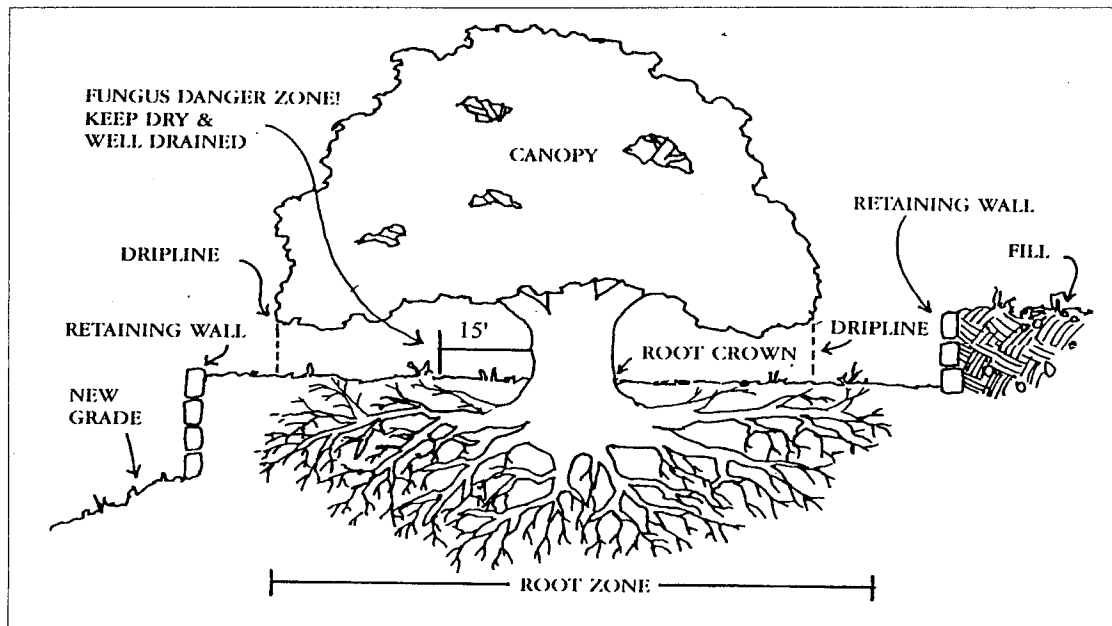
Smaller trees (smaller than five inches in diameter at four feet above the ground) within the project area are considered to be of high importance, and when possible, shall be given similar consideration as larger trees.

**Monitoring:** Department of Planning and Building, in consultation with the Environmental Coordinator, will be available to advise applicants on tree trimming issues.

- TR-7 To minimize impacts to the sensitive oak woodland understory habitat (e.g. maritime chaparral, coastal scrub), the applicant agrees to the following during construction/ tract improvements and for the life of the project:

- a. All native vegetation removal shall be shown on all applicable grading/ construction or improvement plans, and reviewed/ approved by the County (Planning and Building Dept.) before any work begins.
- b. Vegetation removal of native habitat shall be limited to what is shown on the county-approved grading/ construction /improvement plans.
- c. Vegetation clearance for fire safety purposes shall be limited to the minimum setbacks required by CDF. Where feasible, all efforts will be made to retain as much of this vegetation within the setback as possible (e.g. remove/trim only enough vegetation to create non-contiguous islands of native vegetation).
- d. No livestock shall be allowed within the native habitat area.
- e. All allowed uses within the native habitat area shall be "passive", where the use will have either no or minimal impact on the habitat.
- f. Any CC&R's created shall include the above provisions to minimize impacts to the native habitat.

**Monitoring:** Department of Planning and Building, in consultation with the Environmental Coordinator, will be available to advise applicants on native vegetation removal/protection issues.

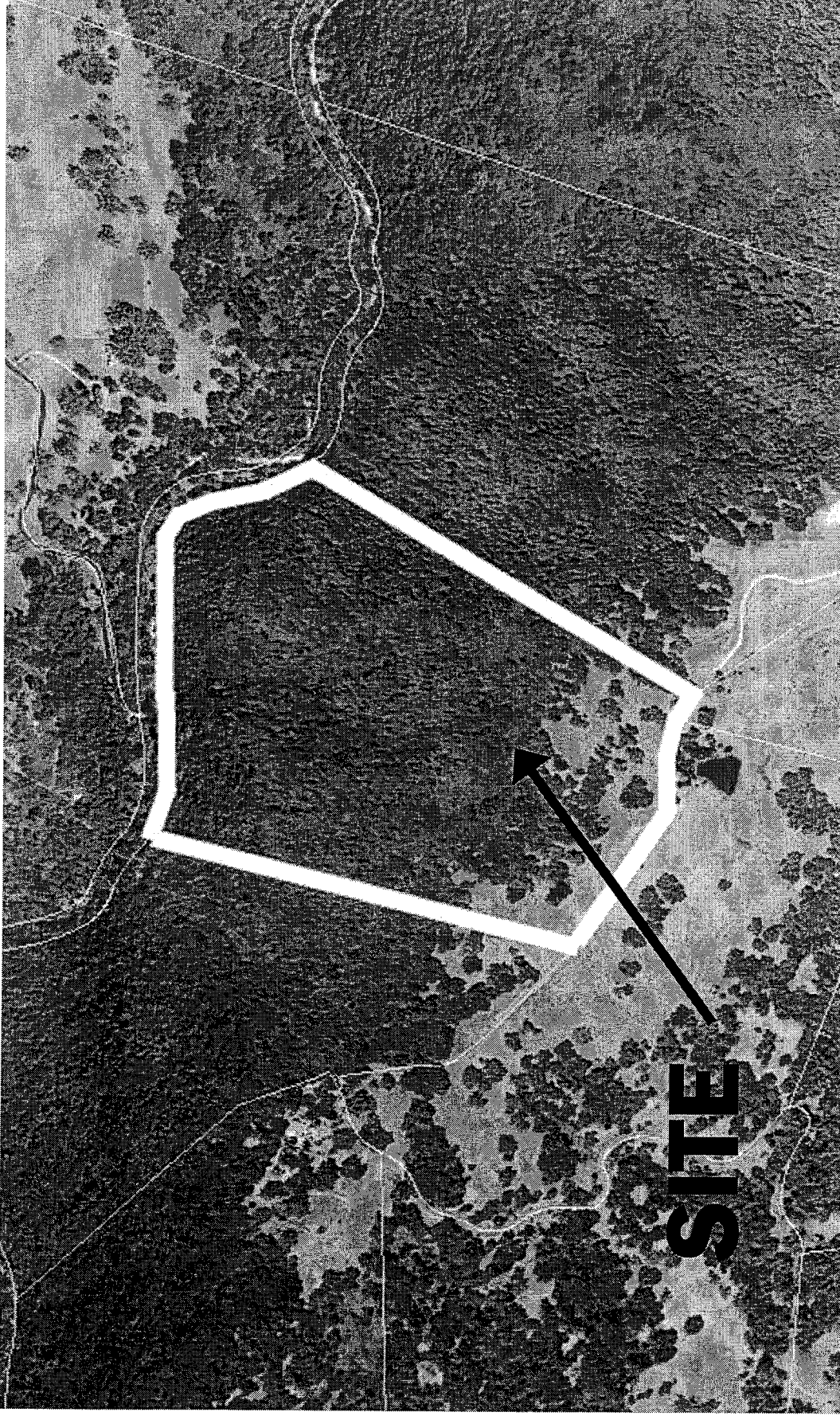


HZ-1 The applicant shall obtain approval from applicable state and federal standards, including the County Health Department, Fire Department, Sheriff's Office, Agricultural Commissioner, and Air Pollution Control District for the 500 gallon fuel storage tank on the property.

**Monitoring:** Department of Planning and Building will require the applicant to submit a letter from each applicable Department indicating that the applicable agencies have approved the fuel tank

Signature of Owner(s) C/9/06 Date

EDMOND A. HEINBOCKEL  
Name (Print)



**SITE**

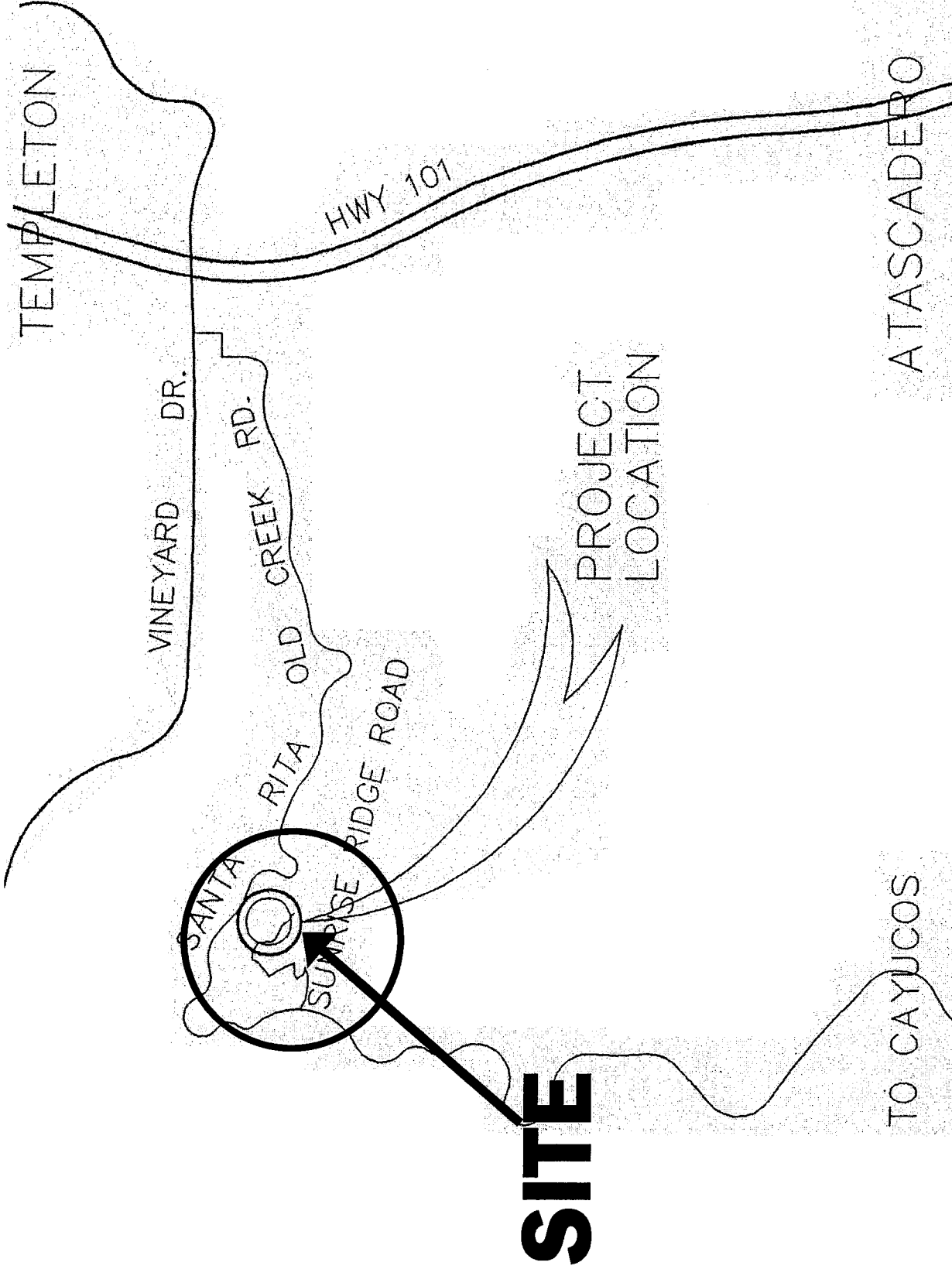
**PROJECT**

GRADNG PERMIT  
Heinbockel PMT2004-03336



**EXHIBIT**

Aerial Photograph



PROJECT

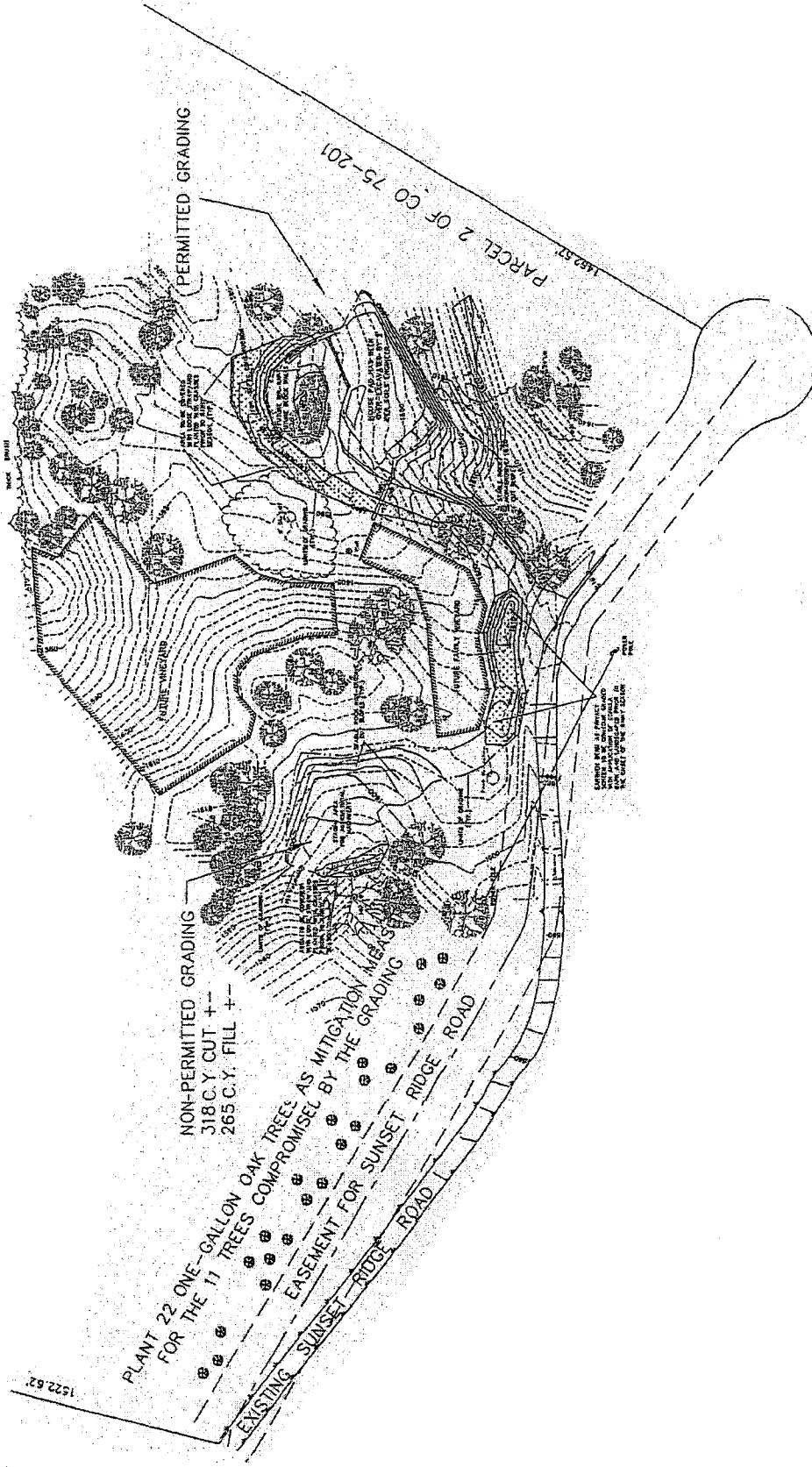
GRADING PERMIT  
Heinbockel PMT2004-03336

EXHIBIT

Vicinity Map







PROJECT

GRADING PERMIT  
Heinbockel PMT2004-03336

EXHIBIT

Site Plan





~~10-1~~

**TO:** PLANNING DEPARTMENT OFFICER

**FROM:** HOLLY PHIPPS

**DATE:** NOVEMBER 18, 2005

**SUBJECT:** A REQUEST FOR REVIEW OF A PROPOSED NEGATIVE DECLARATION BY EDWARD KERLEY AND THE OAK RIDGE HOME OWNERS, SUSAN BLAIS AND BARRY FISHER, BILL AND JANICE CURRIE, STEWART FINLAY-McLENNAN, BARBIE GRAPER, CAROLYN HENEL, BOB AND CATHY PARSONS, DENNIS AND SHARON SCHNEIDER, FOR A PROPOSED MITIGATED NEGATIVE DECLARATION FOR THE HEINBOCKEL GRADING PERMIT (PMT2004-03336) TO ALLOW GRADING FOR A SINGLE-FAMILY DWELLING AND FUTURE AGRICULTURE BUILDING THAT HAS ALREADY OCCURRED. THE GRADING HAS RESULTED IN THE DISTURBANCE OF APPROXIMATELY 23,760 SQUARE FEET ON A 48 ACRE PARCEL WITH 450 CUBIC YARDS OF CUT AND 450 CUBIC YARDS OF FILL.

## **RECOMMENDATION**

Adopt the proposed Negative Declaration ED04-021 for Heinbockel Grading Permit PMT2004-03336 based on the findings in Exhibit A and the Mitigations in Exhibit B.

## **DISCUSSION**

On August 5, 2005, a Mitigated Negative Declaration was issued to allow grading for a single-family dwelling and future agriculture building that has already occurred. The grading has resulted in the disturbance of approximately 23,760 square feet on a 48 acre parcel with 450 cubic yards of cut and 450 cubic yards of fill. The project site is within the Rural Land land use category and is located east of Santa Rita Old Creek Road (at 3773 Sunrise Ridge Road) approximately 4 miles west from Templeton. The site is in the Adelaida planning area.

On August 17, 2005, the Department of Planning and Building received a Request for Review of a Proposed Negative Declaration by Edward Kerley and Oak Ridge Home Owners. The following discusses the issues raised in the review under the California Environmental Quality Act.

## **APPEAL ISSUES**

### **Issue 1:**

**Appellant Contention:** *The "Project Description" and "Existing Setting" in the Negative Declaration are incomplete in that they do not properly characterize the immediately surrounding area where the property is located. The applicant's property is located*



*within a 13-parcel gated residential subdivision commonly known as the Oak Ridge Development. These properties are members of the Oak Ridge Property Owners Association ("Homeowners' Association"), an association formed under the Davis-Stirling Common Interest Development Act. Approximately 50 percent of the parcels currently have residences built. Historically there has been some cattle grazing in this area; however, there has not been any other agricultural use within the Oak Ridge Development. The environmental impact on the surrounding community cannot be properly evaluated without consideration of the resource needs of these adjacent owners and the community and the community as a whole. Of specific and imminent concern is the availability of ground water in the immediate area. The great majority of the Oak Ridge properties lie along a ridgeline at an elevation of approximately 1,800 feet. There is no identifiable water table in this area, but rather a series of apparently loosely connected underground springs and cisterns. A private well directly across Sunrise Ridge Road, which is mistakenly labeled as Sunset Ridge Road on the Site Plan attached to the Negative Declaration ("Site Plan"), and another community well shared by three of the parcels are adjacent to the subject parcel (see attached map for location of wells in relationship to subject property). Both wells have experienced problems with water availability in the last two years. Pesticide, herbicide, erosion and noise associated with the proposed agricultural uses delineated on the Site Plan may be issues as well given the residential nature of the Oak Ridge Development.*

**Staff Response** – The project description identifies the proposed project requested by Mr. Heinbockel as grading that has already occurred for a single-family dwelling pad and future agriculture building. This project description takes into account the immediate area to be graded by defining how much cut (450 cubic yards) and fill (450 cubic yards of fill) and total disturbance to occur (total disturbance equals 23,760 square feet on a 48 acre parcel). By defining the land use category, which is *Rural Lands*, this further elaborates the permit procedures and the standards (requirements) that are allowed on this parcel under Title 22 of County of San Luis Obispo Land Use Ordinance.

Future development of an agriculture building is an allowable use consistent with Table 2-2 (Section 22.06.030) with the proper Zoning Clearance. However, future agriculture production is not proposed as part of this project. This project is solely for the grading of the pads for a single-family dwelling and a future agriculture building as indicated on the construction permit application form.

"Existing Setting" in Section B, in the Initial Study is by County Standards an adequate representation of the general characterization of the project which is allowed under CEQA 15063 (d). This section states,

*"Contents. An Initial Study shall contain in **brief form**:*

- (2) An identification of the environmental setting;*
- (3) An identification of environmental effects by use of a **checklist**, matrix or other form ...*

The appellants also state that they are concerned with pesticide, herbicide, erosion and noise that could be associated with agricultural uses, however, once again this project is not addressing future agricultural uses, future agricultural uses are speculative at this juncture.

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The water issue brought up in this section will be covered in section 3c where other issues concerning water are addressed.

**Issue 2:**

**Appellant Contention:** *Of further concern is that the applicant, Edward Heinbockel (EH), has a history of failing to comply with both the County's regulations and the Oak Ridge Property Owners' Covenants, Codes and Restrictions ("CC&Rs"). In fact EH began major grading on the parcel without a County permit or the approval of the Homeowners' Association although EH had represented to neighbors that he secured a County grading permit.*

**Staff Response** – Concerns or issues that Oak Ridge Property Owners have with the Covenants, Codes and Restrictions are between Mr. Heinbockel and the said property owners. Mr. Heinbockel is held liable under the provisions of the San Luis Obispo County Code – Title 22, Land Use Ordinance for all land use and development activities within the unincorporated areas of San Luis Obispo County. The project PMT2004-03336 is addressing the aforementioned grading that took place without permits.

**Issue 3a:**

**Appellant Contention:** *The "Proposed Use/Intent" section does not identify an agricultural use of the property although the proposed grading on the Site Plan clearly calls out a "staging area for agricultural machinery" in an area designated as "non-permitted grading" with 318 C.Y. cut and 265 C. Y. fill. There is no indication of what kind of machinery is anticipated in this area. Although the attached Site Plan indicates a proposed vineyard and livestock use, no detail is provided in the application and the Negative Declaration is silent on the environmental impact or mitigation for these proposed uses. It is likely that the large machinery staging area envisioned in this application may have a significant and adverse change to the physical conditions, including the availability of water for the community, and use of pesticides and noise. It should be noted as well that the Initial Study Summary at page 2 reference is made to the request of EH for grading for an agricultural building but that no detail is provided as the use of the agricultural building, impact or mitigation required. The applicant needs to specify the agricultural uses, the source of water for the agricultural use, pesticides and herbicides to be used and any mitigation measures before any meaningful review and analysis of the impacts can be completed. And while ultimately the utilization of this property is subject to the Homeowner Associations' review, we assume that the County has similar responsibilities to review the potential for a substantial and adverse environmental impact of the change in activities proposed by the applicant.*

**Staff Response** – Section 22.30.030, 060 states that Rural Lands use category allows an agricultural accessory structure.

Staff did not provide details for the potential future use of the agricultural building and future machinery staging area because future potential agricultural use is not part of this project. The project PMT2004-03336 is a major grading permit for a single-family dwelling and future agricultural building. Construction of the future agricultural building may be subject to a future building permit. Furthermore, grading for agricultural production may be reviewed at the time it

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is proposed if the proposed use requires review subject to the County of San Luis Obispo Land Use Ordinance.

In regards to impact and mitigation, the agricultural building is an allowable use as mentioned and staff did mitigate impacts to the oak trees for the grading of the agricultural building pad. The agricultural building site was included as part of the total project because the grading for the pad had already occurred. The total project site will impact 23,760 square feet of Coastal Oak Woodlands. Staff determined that 26 trees have been impacted. The standard mitigation ratio established for impacted oak trees is 2:1. The applicant has agreed to provide planting for 26 impacted oak trees, which will result in 52 oak trees being planted.

**Issue 3b:**

***Appellant Contention:*** *The Site Plan identifies 11 impacted trees and 22 mitigating trees, but does not comply with the mitigation required in Section 4, Mitigation/Conclusion, paragraph 2. Further, the locations of the new tree plantings specified on the Site Plan are inconsistent with the County's recommendations as expressed in Exhibit B, TREE REMOVAL/PROTECTION, TR-2, paragraph 2. on page 17, TR-2 paragraph 2.*

**Staff Response** – The Site Plan that was submitted does not reflect the correct number of trees to be replanted. The Mitigated Negative Declaration however does reflect the correct required mitigation for 26 impacted trees to be replanted in kind at a ratio of 2:1 for a total of 52 oak trees. Mr. Heinbockel has agreed in a signed Developer's Statement that he shall provide for the planting, in kind at a ratio of 2:1 for the 26 trees that have been impacted, which will total 52 oak trees. A revised Site Plan will be required prior to issuance of the Major Grading Permit to show the correct number of replacement trees.

In response to the new tree planting location, as stated in TR-2 Exhibit B, "the location of newly planted trees should adhere to the following, **whenever possible:** on the north-facing slopes..." which does not state in definite terms where the applicant should plant the new trees. Location of newly planted trees is site specific and conditions have been applied to this project to insure the trees survival. A qualified individual (e.g., landscape contractor, arborist, nurseryman, or botanist) shall be retained to submit a letter to the Environmental Coordinator indicating that the conditions have been met.

**Issue 3c:**

***Appellant Contention:*** *Section 14, Impact Item #14, page 13 of the environmental checklist indicates that residential water utilization could approach 1.18 AFY. EH has not identified a water source that will provide this volume of water needed for the residential use. The Negative Declaration does not address the water required to the "agricultural machinery staging area" or the two proposed vineyards shown on the Site Plan. The Negative Declaration does not address the water needs of the tree mitigation planting referenced in 3(b) above which in itself will require irrigation for three years or more years. This matter is of particular concern in light of a substantial reduction of well water and ground water levels observed by adjacent property owners over the past 24 months, including the total loss of water in the community well last August and which is adjacent to the parcel.*

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**Staff Response** – Using the “City of Santa Barbara Water Demand Factor & Conservation Study ‘User Guide’ (Aug., 1989) staff determined that “worst case” indoor water usage for a single-family resident would consume 0.850/unit and a small additional unit would add 0.330/unit when added together, the totaling 1.18 AFY (average use rate).

The proposed project calls for one residential dwelling consisting of 2,725 square feet and no additional secondary dwelling. The proposed project includes a garage that totals 1,675 square feet.

If you apply the “User Guidelines” from the City of Santa Barbara for a *small* single-family residence up to 9,999 square feet, the water consumption is actually lower. According to this calculation this single-family residence would consume .03330 per unit. Therefore, the water consumption in the initial study for the “worst case” indoor usage is 1.18 AFY and the likely water usage for the proposed project indoor water usage would be 0.330 AFY which is lower than the worst case scenario.

Furthermore, a pump test was required for the Building Permit in regards to the single-family dwelling per Title 19.20.236. A 4-hour pump test was performed for Building Permit (PMT2004-01063). The pump test requires that a well yield more than 5 gallons per minute. The pump test for this parcel, performed by Miller Drilling Company, indicated a yield of 16 gallons per minute.

The appellants also stated that the Negative Declaration does not address the water required for the “agricultural machinery staging area” or the two proposed vineyards shown on the Site Plan. As discussed earlier, the two proposed vineyards shown on the site plan are not part of this project. The area shown on the site plan as the agricultural machinery staging area is included in this project as a potential site for a future agricultural accessory structure. Under Title 22 of the Land Use Ordinance, Agricultural Accessory Structures are a permitted use in the Rural Lands land use category. In the Rural Lands land use category, Agricultural Accessory Structures and Crop Production are allowable uses that are subject to the land use permit required by specific use standards in Section 22.30.30, 60 and subject to land use permit required by Section 22.06.30, Table 2-3.

**Issue 3d:**

***Appellant Contention:*** *Section Item #16, page 15, Mandatory Findings of Significance: Unlike previous sections of the report there are no explanations of items (a) and (b), and no mitigation recommendations are specified. For instance, the impact of the proposed agricultural machinery and vineyard shown on the Site Plan has not been considered.*

**Staff Response** – Section 16 is used to summarize the project as a whole thus, no detailed description is given. The detailed information is located within the specific category in the Mitigated Negative Declaration.

**Issue 3e:**

***Appellant Contention:*** *Item # 7, page 8, Hazardous Materials: The site currently has a 500 gallon above ground diesel fuel tank installed without approval of the Homeowner’s Association. This tank is not addressed in the Initial Report or indicated on the Site Plan and represents an environmental and fire risk.*

~~10-16~~

**Staff Response** – Prior contracts of conditions that Ed Heinbockel has with Oak Ridge Home Owners is not considered in this process. In addition, the storage of flammable and combustible liquids is not part of the project description. As proposed, flammable and combustible storage is an allowed use (see section below).

However, Section 22.10.070 in the Land Use Ordinance states:

“Flammable and Combustible Liquids Storage does not require a land use permit for the storage of flammable or combustible liquids, except where the quantity stored exceeds the limitations specified in Subsection D.

D. Limitations on quantity. The quantity of flammable or combustible liquids stored on a site shall be limited as follows.

2. Other areas. Storage shall be limited to the following quantities on any single building site, unless greater quantities are authorized through Conditional Use Permit or Minor Use Permit approval.

Maximum Quantity Allowed Based on Type of Storage

Type of Liquid Aboveground Underground

Combustible 20,000 gallons No limitation

Flammable 2,000 gallons 20,000 gallons”

**Issue 3f:**

***Appellant Contention:*** *The non-permitted earthen berm constructed along Sunrise Ridge Rd. (misabeled on the Site Plan as Sunset Ridge Road) has been built without a permit across an existing drainage channel which may adversely impact the road, aquifer and ground water run-off. The environmental impact of this project cannot be completely evaluated without an engineered drainage plan for the site's development.*

**Staff Response** – The Building Department and Department of Public Works of San Luis Obispo will verify the accuracy of the drainage plan if one is required.

As-built grading poses unique problems because plan review and inspections occur after work has been performed. The applicant was required to secure a Registered Civil Engineer to prepare necessary plans showing all work performed. The licensed professional shall certify that the work performed meets the California Building Code and County Ordinances. No additional grading will be allowed without proper permits.

On June 30, 2005 an As-Built-Grading Plan PMT2004-01063 was completed. Per the as-built-grading plan all grading and construction shall conform to the following codes:

CBC-2001	California Building Code
CPC-2001	California Plumbing Code
CMC-2001	California Mechanical Code
CEC-2001	California Electrical Code
Title 19	County Building and Construction Code
Title 20	County Land Use Ordinance
Title 24	California State Energy and Accessibility Standards
Grading	UBC Appendix Chapter 33



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By Federal Express

~~TO~~

August 17, 2005

County of San Luis Obispo Department of Planning & Building  
Environmental Division  
Department of Planning and Building  
County Government Center, Room 310  
San Luis Obispo, California 93408-2040

**Re: Environmental Determination No. ED04-021  
Heinbockel Grading Permit PMT2004-03336**

To Whom It May Concern:

The undersigned property owners in the Oak Ridge Development (Parcel Map Number CO-75-201) have serious concerns pertaining to the above referenced proposed project and the proposed Mitigated Negative Declaration & Notice of Determination dated August 4, 2005 ("Negative Declaration"). These concerns have been orally shared with County staff and include the following:

1. The "PROJECT DESCRIPTION" and "EXISTING SETTING" in the Negative Declaration are incomplete in that they do not properly characterize the immediately surrounding area where the property is located. The applicant's property is located within a 13-parcel gated residential subdivision commonly known as the Oak Ridge Development. These properties are members of the Oak Ridge Property Owners Association ("Homeowners' Association"), an association formed under the Davis-Stirling Common Interest Development Act. Approximately 50 percent of the parcels currently have residences built. Historically there has been some cattle grazing in this area; however, there has not been any other agricultural use within the Oak Ridge Development. The environmental impact on the surrounding community cannot be properly evaluated without consideration of the resource needs of these adjacent owners and the community as a whole. Of specific and imminent concern is the availability of ground water in the immediate area. The great majority of the Oak Ridge properties lie along a ridgeline at an elevation of approximately 1800 feet. There is no identifiable water table in this area, but rather a series of apparently loosely connected underground springs and cisterns. A private well directly across Sunrise Ridge Road, which is mistakenly labeled as Sunset Ridge Road on the Site Plan attached to the Negative Declaration ("Site Plan"), and another community well shared by three of the parcels are adjacent to the subject parcel (see attached map for location of wells in relationship to subject property). Both wells have experienced problems with water availability in the last two years. Pesticide, herbicide, erosion and noise associated with the proposed agricultural uses delineated on the Site Plan may be issues as well given the residential nature of the Oak Ridge Development.

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2. Of further concern is that the applicant, Edward Heinbockel (EH), has a history of failing to comply with both the County's regulations and the Oak Ridge Property Owners' Covenants, Codes and Restrictions ("CCRs"). In fact EH began major grading on the parcel without a County permit or the approval of the Homeowners' Association although EH had represented to neighbors that he had secured a County grading permit.
3. The Negative Declaration and Initial Study Summary – Environmental Checklist is incomplete as follows:
  - a. The "PROPOSED USE/INTENT" section does not identify an agricultural use of the property although the proposed grading on the Site Plan clearly calls out a "staging area for agricultural machinery" in an area designated as "non-permitted grading" with 318 C.Y. cut and 265 C.Y. fill. There is no indication of what kind of machinery is anticipated in this area. Although the attached Site Plan indicates a proposed vineyard and livestock use, no detail is provided in the application and the Negative Declaration is silent on the environmental impact or mitigation for these proposed uses. It is likely that the large machinery staging area envisioned in this application may have a significant and adverse change to the physical conditions, including the availability of water for the community, and use of pesticides and noise. It should be noted as well that in the Initial Study Summary at page 2 reference is made to the request of EH for grading for an agriculture building but that no detail is provided as the use of the agricultural building, impact or mitigation required. The applicant needs to specify the agricultural uses, the source of water for the agricultural use, pesticides and herbicides to be used and any mitigation measures before any meaningful review and analysis of the impacts can be completed. And while ultimately the utilization of this property is subject to the Homeowner Associations' review, we assume that the County has similar responsibilities to review the potential for a substantial and adverse environmental impact of the change in activities proposed by the applicant.
  - b. The Site Plan identifies 11 impacted trees and 22 mitigating tree plantings, but does not comply with the mitigation required in Section 4., Mitigation/Conclusion, paragraph 2. Further, the locations of the new tree plantings specified on the Site Plan are inconsistent with the County's recommendations as expressed in Exhibit B, TREE REMOVAL/PROTECTION, TR-2, paragraph 2. on page 17, TR-2, paragraph 2.
  - c. Section 14, Impact Item #14, page 13 of the environmental checklist indicates that residential water utilization could approach 1.18 AFY. EH has not identified a water source that will provide this volume of water needed for the residential use. The Negative Declaration does not address the water required related to the "agricultural machinery staging area" or the two proposed vineyards shown on the Site Plan. The Negative Declaration does not address the water needs of the tree mitigation planting referenced in 3(b) above which in and of itself will require irrigation for three or more years. This

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matter is of particular concern in light of a substantial reduction of well water and ground water levels observed by adjacent property owners over the past 24 months, including the total loss of water in the community well last August and which is adjacent to this parcel.

- d. Section Item #16, page 15, Mandatory Findings of Significance: Unlike previous sections of the report there are no explanations of items (a) and (b), and no mitigation recommendations are specified. For instance, the impact of the proposed agricultural machinery and vineyard shown on the Site Plan has not been considered.
- e. Item #Section 7, page 8, Hazardous Materials: The site currently has a 500 gallon above ground diesel fuel tank installed without approval of the Homeowners' Association. This tank is not addressed in the Initial Report or indicated on the Site Plan and represents an environmental and fire risk.
- f. The non-permitted earthen berm constructed along Sunrise Ridge Rd. (misabeled on the Site Plan as Sunset Ridge Road) has been built without a permit across an existing drainage channel which may adversely impact the road, aquifer and ground water run-off. The environmental impact of this project cannot be completely evaluated without an engineered drainage plan for the site's development.

In summary, we believe that the County does not yet have sufficient information from the applicant about all elements of the proposed uses and that it would be an abuse of discretion to adopt the proposed Negative Declaration without having the necessary information to evaluate the environmental impact of this project in what is primarily a residential subdivision.

Oak Ridge Owners:

Susan Blais and Barry Fisher  
Bill and Janice Currie  
Stewart Finlay-McLennan  
Barbie Graper  
Edward Kerley and Carolyn Henel  
Bob and Cathy Parsons  
Dennis and Sharon Schneider

W Real Estate  
ormas Services

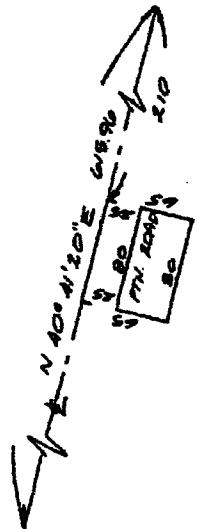
SCALE 1" = 10' (10' INCH)

1.800.527.9663

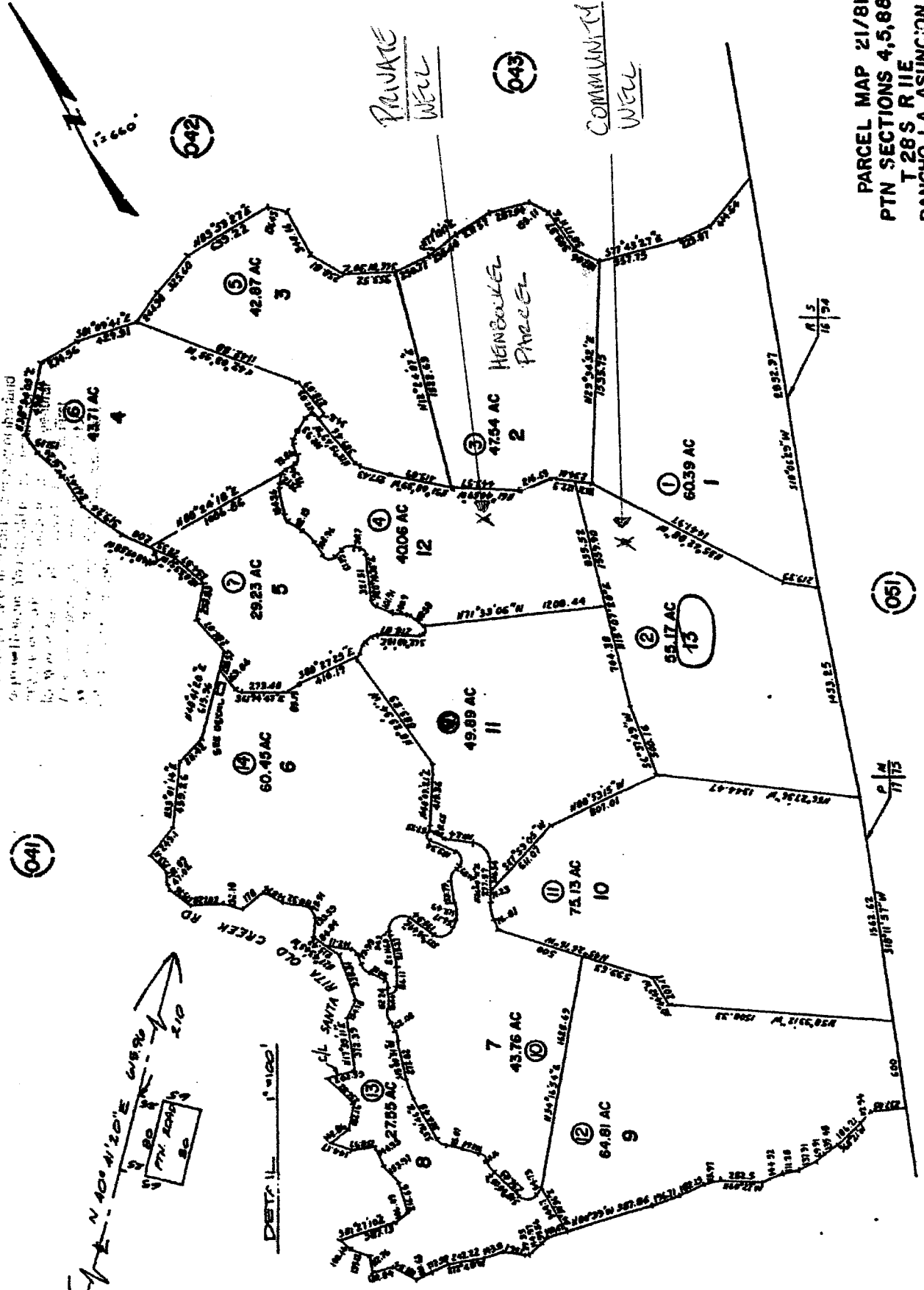
TAX AREA CODE NO.

46-24

For more information on this land  
or to schedule a viewing, please  
call 1.800.527.9663 or visit  
our website at www.ormas.com



DETAILED 1" = 100'



PARCEL MAP 21/81  
PTN SECTIONS 4, 5, 8 & 9  
T 28 S R 11 E  
RANCHO LA ASUNCION  
SAN LUIS CRISTO COUNTY  
CA 94134

NOTE-ASSESSOR'S BLOCK & LOT NUMBER  
THIS MAP IS FOR ASSESSMENT PURPOSES ONLY

Rev. 11-16-93

Oak Ridge



**San Luis Obispo County Department of Planning and Building**  
County Government Center      San Luis Obispo, California 93408      Telephone: (805) 781-5600

**Receipt #: 22200500000000000296**  
**Date: 08/19/2005**

**Line Items:**

Case No	Last Name	Tran Code	Description	Revenue Account No	Amount Paid
		APPEAL ENV	Appeal Environmental Determination - PEDG -4350480	1420000-1000000000-142S59	55.00
Line Item Total:					\$55.00

**Payments:**

Method	Payer	Bank No	Account No	Confirm No	How Received	Amount Paid
Check	EDWARD KERLEY		245		In Person	55.00
Payment Total:						\$55.00

Balance

*[Handwritten signature]*



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COUNTY OF SAN LUIS OBISPO  
INITIAL STUDY SUMMARY - ENVIRONMENTAL CHECKLIST

Project Title & No. Heinbockel Grading Permit ED05-021 PMT2004-03336

**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:** The proposed project could have a "Potentially Significant Impact" for at least one of the environmental factors checked below. Please refer to the attached pages for discussion on mitigation measures or project revisions to either reduce these impacts to less than significant levels or require further study.

- |  |   |   |
|--|---|---|
| <input type="checkbox"/> Aesthetics                      | <input checked="" type="checkbox"/> Geology and Soils           | <input type="checkbox"/> Recreation                 |
| <input type="checkbox"/> Agricultural Resources          | <input checked="" type="checkbox"/> Hazards/Hazardous Materials | <input type="checkbox"/> Transportation/Circulation |
| <input type="checkbox"/> Air Quality                     | <input type="checkbox"/> Noise                                  | <input type="checkbox"/> Wastewater                 |
| <input checked="" type="checkbox"/> Biological Resources | <input type="checkbox"/> Population/Housing                     | <input type="checkbox"/> Water                      |
| <input type="checkbox"/> Cultural Resources              | <input checked="" type="checkbox"/> Public Services/Utilities   | <input type="checkbox"/> Land Use                   |

**DETERMINATION:** (To be completed by the Lead Agency)

On the basis of this initial evaluation, the Environmental Coordinator finds that:

- ☐ The proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☒ Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ The proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ The proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ Although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Holly Phipps

Prepared by (Print)

Signature

July 15, 2005

Date

Steven McMasker

Reviewed by (Print)

Signature

Ellen Carroll,  
Environmental Coordinator  
(for)

8/1/05  
Date

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### **Project Environmental Analysis**

The County's environmental review process incorporates all of the requirements for completing the Initial Study as required by the California Environmental Quality Act (CEQA) and the CEQA Guidelines. The Initial Study includes staff's on-site inspection of the project site and surroundings and a detailed review of the information in the file for the project. In addition, available background information is reviewed for each project. Relevant information regarding soil types and characteristics, geologic information, significant vegetation and/or wildlife resources, water availability, wastewater disposal services, existing land uses and surrounding land use categories and other information relevant to the environmental review process are evaluated for each project. Exhibit A includes the references used, as well as the agencies or groups that were contacted as a part of the Initial Study. The Environmental Division uses the checklist to summarize the results of the research accomplished during the initial environmental review of the project.

Persons, agencies or organizations interested in obtaining more information regarding the environmental review process for a project should contact the County of San Luis Obispo Environmental Division, Rm. 310, County Government Center, San Luis Obispo, CA, 93408-2040 or call (805) 781-5600.

### **A. PROJECT**

**DESCRIPTION:** Request by Ed Heinbockel for a proposal of grading for a single-family dwelling and future agriculture building that has already occurred. The grading has resulted in the disturbance of approximately 23,760 square feet on a 48 acre parcel with 450 cubic yards of cut and 450 cubic yards of fill . The project site is within the Rural Land land use category and is located east of Santa Rita Old Creek Road (at 3773 Sunrise Ridge Road) approximately 4 miles west from Templeton. The site is in the Adelaida planning area.

**ASSESSOR PARCEL NUMBER(S):** 046-241-003

**SUPERVISORIAL DISTRICT #** 1

### **B. EXISTING SETTING**

**PLANNING AREA:** Adelaida, Rural

**LAND USE CATEGORY:** Rural Lands

**COMBINING DESIGNATION(S):** None

**EXISTING USES:** Undeveloped

**TOPOGRAPHY:** Steeply sloping to moderately sloping

**VEGETATION:** Grasses

**PARCEL SIZE:** 48 acres

**SURROUNDING LAND USE CATEGORIES AND USES:**

<i>North:</i> Rural Lands; undeveloped	<i>East:</i> Rural Lands; scattered dwelling
<i>South:</i> Rural Lands; undeveloped	<i>West:</i> Agriculture; undeveloped

### **C. ENVIRONMENTAL ANALYSIS**

During the Initial Study process, several issues were identified as having potentially significant environmental effects (see following Initial Study). Those potentially significant items associated with



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the proposed uses can be minimized to less than significant levels.

## COUNTY OF SAN LUIS OBISPO INITIAL STUDY CHECKLIST

1.	<b>AESTHETICS - Will the project:</b>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a)	Create an aesthetically incompatible site open to public view?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Introduce a use within a scenic view open to public view?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	Change the visual character of an area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	Create glare or night lighting, which may affect surrounding areas?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e)	Impact unique geological or physical features?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f)	Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** The area's topography consists of steep hillsides slopes. The project is located on relatively steep slopes. The existing vegetation on the project site consists of Coastal Oak Woodlands. The proposed project can be seen from Sunrise Ridge Road but will be aesthetically consistent with residential development that has occurred within the area. The project is considered compatible with surrounding uses.

**Impact.** No significant visual impacts are expected to occur.

**Mitigation/Conclusion.** No mitigation measures are necessary.

2.	<b>AGRICULTURAL RESOURCES - Will the project:</b>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a)	Convert prime agricultural land to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Impair agricultural use of other property or result in conversion to other uses?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	Conflict with existing zoning or Williamson Act program?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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**Setting.** The soil types include: Lompico-McMullin complex, (50 - 75 % slope), Millsholm-Dibble clay loams, (15 - 30 % slope). As described in the Natural Resource Conservation Service Soil Survey, the "non-irrigated" soil class is "VI - VII", and the "irrigated" soil class is "NA".

**Impact.** The project is located in a predominantly non-agricultural area with no agricultural activities occurring on the property or immediate vicinity. No significant impacts to agricultural resources are anticipated.

**Mitigation/Conclusion.** No mitigation measures are necessary.

3. AIR QUALITY - <i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Violate any state or federal ambient air quality standard, or exceed air quality emission thresholds as established by County Air Pollution Control District?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Expose any sensitive receptor to substantial air pollutant concentrations?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Create or subject individuals to objectionable odors?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Be inconsistent with the District's Clean Air Plan?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** The Air Pollution Control District (APCD) has developed the CEQA Air Quality Handbook to evaluate project specific impacts and help determine if air quality mitigation measures are needed, or if potentially significant impacts could result. To evaluate long-term emissions, cumulative effects, and establish countywide programs to reach acceptable air quality levels, a Clean Air Plan has been adopted (prepared by APCD).

**Impact.** As proposed, the project will result in the disturbance of approximately 23,760 square feet. This will result in the creation of construction dust, as well as short- and long-term vehicle emissions. Based on Table 1-1 of the CEQA Air Quality Handbook, the project will result in less than 10 lbs./day of pollutants, which is below thresholds warranting any mitigation. The project is consistent with the general level of development anticipated and projected in the Clean Air Plan. No significant air quality impacts are expected to occur.

**Mitigation/Conclusion.** No mitigation measures are necessary.

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**4. BIOLOGICAL RESOURCES -**  
***Will the project:***

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Result in a loss of unique or special status species or their habitats?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Reduce the extent, diversity or quality of native or other important vegetation?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) <i>Impact wetland or riparian habitat?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Introduce barriers to movement of resident or migratory fish or wildlife species, or factors, which could hinder the normal activities of wildlife?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** The following habitats were observed on the proposed project: Coastal Oak woodland  
Based on the latest California Diversity database and other biological references, the following species or sensitive habitats were identified:

Plants: None

Wildlife: None

Habitats: Coastal Oak Woodlands

**Impact.** The project site will impact 23,760 square feet area of Coastal Oak woodlands. A site visit was completed by Josh LeBombard to determine the number of trees impacted. As a result of the site visit, it was determined that 26 trees have been impacted.

**Mitigation/Conclusion.**

All trees on-site that are within fifty feet of construction or grading activities shall be marked for protection (e.g. with flagging) and their root zone fenced prior to any grading.

The standard mitigation ratio established for impacted oak trees is 2:1. The applicant has agreed to provide for planting, in kind at a ratio of 2:1, of oak trees to mitigate for the 26 trees impacted. A total of 52 oak trees will be required to be mitigated for the impacted trees.

As a result of this project, newly planted trees shall be maintained until successfully established. This shall include protection (e.g. tree shelters, caging) from animals (e.g. deer, rodents), regular weeding (minimum of once early Fall and once early Spring) of at least a three-foot radius out from plant and adequate watering (e.g. drip-irrigation system). Watering shall be controlled so only enough is used to initially establish the tree. Planting during the driest months (June through September) shall be avoided.

To guarantee the success of the new trees, the applicant shall retain a qualified individual (e.g. arborist, landscape architect/ contractor, nurseryman) to monitor the new trees' survivability until the trees are successfully established, and prepare monitoring reports, on an annual basis, for no less than seven years. The mitigation measures are listed in detail in Exhibit B Mitigation Summary Table.

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**5. CULTURAL RESOURCES -**  
*Will the project:*

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Disturb pre-historic resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Disturb historic resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Disturb paleontological resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Other: _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** The project is located in an area historically occupied by the southern Salinan and northern Chumash . No historic structures are present and no paleontological resources are known to exist in the area.

**Impact.** The project is not located in an area that would be considered culturally sensitive due to lack of physical features typically associated with prehistoric occupation. No evidence of cultural materials was noted on the property. Impacts to historical or paleontological resources are not expected.

**Mitigation/Conclusion.** No significant cultural resource impacts are expected to occur, and no mitigation measures are necessary

**6. GEOLOGY AND SOILS -**  
*Will the project:*

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Result in exposure to or production of unstable earth conditions, such as landslides, earthquakes, liquefaction, ground failure, land subsidence or other similar hazards?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Be within a California Geological Survey "Alquist-Priolo Earthquake Fault Zone"?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Result in soil erosion, topographic changes, loss of topsoil or unstable soil conditions from project-related improvements, such as vegetation removal, grading, excavation, or fill?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) <i>Change rates of soil absorption, or amount or direction of surface runoff?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Include structures located on expansive soils?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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**6. GEOLOGY AND SOILS -**  
***Will the project:***

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
f) <b><i>Change the drainage patterns where substantial on- or off-site sedimentation/ erosion or flooding may occur?</i></b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) <b><i>Involve activities within the 100-year flood zone?</i></b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) <b><i>Be inconsistent with the goals and policies of the County's Safety Element relating to Geologic and Seismic Hazards?</i></b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) <b><i>Preclude the future extraction of valuable mineral resources?</i></b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j) <b><i>Other:</i></b> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** GEOLOGY - The topography of the project site is moderately sloped. The area proposed for development is outside of the Geologic Study Area designation. The landslide risk potential is considered high. The liquefaction potential during a ground-shaking event is considered low.

No active faulting is known to exist on or near the subject property. The project is not within a known area containing serpentine or ultramafic rock or soils.

Any project within the Geologic Study area designation or within a high liquefaction area is subject to the preparation of a geological report per the County's Land Use Ordinance (LUO) section 22.14.070 (c) to evaluate the area's geological stability relating to the proposed use.

**DRAINAGE** – The area proposed for development is outside the 100-year Flood Hazard designation. The closest creek (Santa Rita Creek) from the proposed development is approximately .33 miles to the north. As described in the Natural Resource Conservation Service Soil Survey, the soil is considered moderately to very poorly drained. For areas where drainage is identified as a potential issue, the LUO (Sec. 22.52.080) includes a provision to prepare a drainage plan to minimize potential drainage impacts. When required, this plan would need to address measures such as: constructing on-site retention or detention basins, or installing surface water flow dissipaters. This plan would also need to show that the increased surface runoff would have no more impacts than that caused by historic flows.

**SEDIMENTATION AND EROSION** – The soil types include: Lompico-McMullin complex, (50 - 75 % slope), Millsholm-Dibble clay loams, (15 - 30 % slope). As described in the NRCS Soil Survey, the soil surface is considered to have low to high erodibility and low to high shrink-swell characteristics.

When highly erosive conditions exist, a sedimentation and erosion control plan is required (LUO Sec. 22.52.090) to minimize these impacts. When required, the plan is prepared by a civil engineer to address both temporary and long-term sedimentation and erosion impacts. Projects involving more than one acre of disturbance are subject to the preparation of a Storm Water Pollution Prevention Plan (SWPPP), which focuses on controlling storm water runoff. The Regional Water Quality Control Board is the local extension that monitors this program.

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**Impact.** As proposed, grading for the project has resulted in the disturbance of approximately 23,760 square feet on moderately sloped topography, which is between 0-20%.

**Mitigation/Conclusion.** During construction, the applicant shall implement erosion control measures as required by the San Luis Obispo County Land Use Ordinance. If grading is to occur during the rainy season (October 15 to April 15), the applicant shall submit, by September 15<sup>th</sup> a wet season sedimentation and erosion control plan and implement the plan as required by the County Land Use Ordinance. There is no evidence that measures above what will already be required by the ordinance of codes are needed.

7. HAZARDS & HAZARDOUS MATERIALS - <i>Will the project:</i>		Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a)	<i>Result in a risk of explosion or release of hazardous substances (e.g. oil, pesticides, chemicals, radiation) or exposure of people to hazardous substances?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	<i>Interfere with an emergency response or evacuation plan?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	<i>Expose people to safety risk associated with airport flight pattern?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	<i>Increase fire hazard risk or expose people or structures to high fire hazard conditions?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e)	<i>Create any other health hazard or potential hazard?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f)	<i>Other: _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** The project is not located in an area of known hazardous material contamination. The project is within a high severity risk area for fire. The project is not within the Airport Review area.

**Impact.** The project does not propose the use of hazardous materials. The project is not expected to conflict with any regional evacuation plan.

**Mitigation/Conclusion.** To minimize significant fire safety impacts, the applicant agrees to a fire safety plan that will be required during Building Permit Issuance.

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**8. NOISE - Will the project:**

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Expose people to noise levels that exceed the County Noise Element thresholds?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Generate increases in the ambient noise levels for adjoining areas?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Expose people to severe noise or vibration?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** The project is not within close proximity of loud noise sources, and will not conflict with any sensitive noise receptors (e.g. residences).

**Impact.** The project is not expected to generate loud noises, nor conflict with the surrounding uses.

**Mitigation/Conclusion.** No significant noise impacts are anticipated, and no mitigation measures are necessary.

**9. POPULATION/HOUSING - Will the project:**

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Induce substantial growth in an area either directly or indirectly (e.g., through projects in an undeveloped area or extension of major infrastructure)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Displace existing housing or people, requiring construction of replacement housing elsewhere?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Create the need for substantial new housing in the area?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Use substantial amount of fuel or energy?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting** In its efforts to provide for affordable housing, the county currently administers the Home Investment Partnerships (HOME) Program and the Community Development Block Grant (CDBG) program, which provides limited financing to projects relating to affordable housing throughout the county.

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**Impact.** The project will not result in a need for a significant amount of new housing, and will not displace existing housing.

**Mitigation/Conclusion.** No significant population and housing impacts are anticipated, and no mitigation measures are necessary.

<b>10. PUBLIC SERVICES/UTILITIES -</b> <i>Will the project have an effect upon, or result in the need for new or altered public services in any of the following areas:</i>	<b>Potentially Significant</b>	<b>Impact can &amp; will be mitigated</b>	<b>Insignificant Impact</b>	<b>Not Applicable</b>
a) <i>Fire protection?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Police protection (e.g., Sheriff, CHP)?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) <i>Schools?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) <i>Roads?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Solid Wastes?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Other public facilities?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** The project area is served by the County Sheriff's Department and CDF/County Fire as the primary emergency responders. The closest CDF fire station is approximately 8 miles to the north. The closest Sheriff substation is in Templeton, which is approximately 7 miles from the proposed project. The project is located in the Templeton Unified School District.

**Impact.** The project's direct and cumulative impacts are within the general assumptions of allowed use for the subject property that was used to estimate the fees in place.

*Fire and Police:* Impact fees are charged new development, to help pay the cost of providing new facilities to serve the expanding rural areas. The current fire and police stations are adequate to accommodate additional residential uses in this area.

*Schools:* At buildout, the County's population will overburden the existing school system unless additional classroom space is added. State law restricts mitigation of school impacts to the levying of these fees and other measures adopted by the school district. Provision of adequate facilities for the population is the responsibility of the school district. Fees will be required through construction permits for each of the new residential structure

**Mitigation/Conclusion.** Public facility (county) and school (State Government Code 65995 et sec) fee programs have been adopted to address the project's direct and cumulative impacts, and will reduce the impacts to less than significant levels.



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# **11. RECREATION - Will the project:**

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Increase the use or demand for parks or other recreation opportunities?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Affect the access to trails, parks or other recreation opportunities?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Other</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** The County Trails Plan shows that a potential trail does not go through the proposed project. The project is not proposed in a location that will affect any trail, park or other recreational resource.

**Impact.** The proposed project will not create a significant need for additional park or recreational resources.

**Mitigation/Conclusion.** No significant recreation impacts are anticipated, and no mitigation measures are necessary.

# **12. TRANSPORTATION/ CIRCULATION - Will the project:**

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Increase vehicle trips to local or areawide circulation system?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Reduce existing "Levels of Service" on public roadway(s)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Create unsafe conditions on public roadways (e.g., limited access, design features, sight distance, slow vehicles)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Provide for adequate emergency access?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Result in inadequate parking capacity?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Result in inadequate internal traffic circulation?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) <i>Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., pedestrian access, bus turnouts, bicycle racks, etc.)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) <i>Result in a change in air traffic patterns that may result in substantial safety risks?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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**Setting.** Future development will access onto the following public road(s): Santa Rita Road. The identified roadway is operating at acceptable levels. Referrals were sent to Public Works/Caltrans. No significant traffic-related concerns were identified.

**Impact.** The proposed project is estimated to generate about 10 trips per day, based on the Institute of Traffic Engineer's manual of 10/unit. This small amount of additional traffic will not result in a significant change to the existing road service or traffic safety levels.

**Mitigation/Conclusion.** No significant traffic impacts were identified, and no mitigation measures are necessary.

13. WASTEWATER - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Violate waste discharge requirements or Central Coast Basin Plan criteria for wastewater systems?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Change the quality of surface or ground water (e.g., nitrogen-loading, daylighting)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Adversely affect community wastewater service provider?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** As described in the NRCS Soil Survey (see Geology section for soil types), the main limitations for on-site wastewater systems relates to: slow percolation steep slopes, shallow depth to bedrock limitations identified. These limitations are summarized as follows:

Shallow Depth to Bedrock – indicates that there may not be sufficient soil depth to provide adequate soil filtering of effluent before reaching bedrock. Once effluent reaches bedrock, chances increase for the effluent to infiltrate cracks that could lead directly to groundwater sources or near wells without adequate filtering, or allow effluent to daylight where bedrock is exposed to the earth's surface. To comply with the Central Coast Basin Plan, additional information is needed prior to issuance of a building permit, such as borings at leach line locations, to show that there will be adequate separation between leach line and bedrock.

Steep Slopes – where portions of the soil unit contain slopes steep enough to result in potential daylighting of wastewater effluent. To comply with the Central Coast Basin Plan, additional information is needed prior to issuance of a building permit, such as slope comparison with leach line depths, to show that there is no potential of effluent “daylighting” to the ground surface.

Slow Percolation – is where fluid percolates too slowly through the soil for the natural processes to effectively break down the effluent into harmless components. The Basin Plan identifies the percolation rate should be less than 120 minutes per inch. To achieve compliance with the Central Coast Basin Plan, additional information will be needed prior to issuance of a building permit that shows the leach area can adequately percolate to achieve this threshold.

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**Impact.** The project proposes to use an on-site system as its means to dispose wastewater. Based on the proposed plans, adequate area appears available for an on-site system.

**Mitigation/Conclusion.** (On-site) The leach lines shall be located at least 100 feet from any private well and at least 200 from any community/public well. Prior to building permit issuance, the septic system will be evaluated in greater detail to insure compliance with the Central Coast Basin Plan for any constraints listed above, and will not be approved if Basin Plan criteria cannot be met.

14. WATER - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Violate any water quality standards?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Discharge into surface waters or otherwise alter surface water quality (e.g., turbidity, temperature, dissolved oxygen, etc.)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Change the quality of groundwater (e.g., saltwater intrusion, nitrogen-loading, etc.)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Change the quantity or movement of available surface or ground water?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Adversely affect community water service provider?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** The project proposes to use an on-site well as its water source

The topography of the project is nearly level. The closest creek (Santa Rita Creek) from the proposed development is approximately .33 miles away. As described in the NRCS Soil Survey, the soil surface is considered to have low erodibility.

**Impact.** As proposed, the project will result in the disturbance of approximately 23,760 square feet. Based on the project description, as shown below, a reasonable "worst case" indoor water usage would likely be about 1.18 acre feet/year (AFY)

*1 residential lots (w/primary (0.85 afy) & secondary (0.33 afy) X 10 lots) = 1.18 afy*  
Source: "City of Santa Barbara Water Demand Factor & Conservation Study "User Guide" (Aug., 1989)

**Mitigation/Conclusion.** Since no potentially significant water quantity or quality impacts were identified, no specific measures above standard requirements have been determined necessary. Standard drainage and erosion control measures will be required for the proposed project and will provide sufficient measures to adequately protect surface water quality.

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**15. LAND USE - Will the project:**

	Inconsistent	Potentially Inconsistent	Consistent	Not Applicable
a) <i>Be potentially inconsistent with land use, policy/regulation (e.g., general plan [county land use element and ordinance], local coastal plan, specific plan, Clean Air Plan, etc.) adopted to avoid or mitigate for environmental effects?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Be potentially inconsistent with any habitat or community conservation plan?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Be potentially inconsistent with adopted agency environmental plans or policies with jurisdiction over the project?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Be potentially incompatible with surrounding land uses?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting/Impact.** Surrounding uses are identified on Page 2 of the Initial Study. The proposed project was reviewed for consistency with policy and/or regulatory documents relating to the environment and appropriate land use (e.g., County Land Use Ordinance, Local Coastal Plan, etc.). Referrals were sent to outside agencies to review for policy consistencies (e.g., CDF for Fire Code, APCD for Clean Air Plan, etc.). The project was found to be consistent with these documents (refer also to Exhibit A on reference documents used).

The project is not within or adjacent to a Habitat Conservation Plan area. The project is consistent or compatible with the surrounding uses as summarized on page 2 of this Initial Study.

**Mitigation/Conclusion.** No inconsistencies were identified and therefore no additional measures above what will already be required was determined necessary.

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**16. MANDATORY FINDINGS OF SIGNIFICANCE - Will the project:**

Potentially Significant

Impact can & will be mitigated

Insignificant Impact

Not Applicable

- a) *Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?* ☐ ☒ ☐ ☐
- b) *Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)* ☐ ☒ ☐ ☐
- c) *Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?* ☐ ☐ ☒ ☐

For further information on CEQA or the county's environmental review process, please visit the County's web site at "www.sloplanning.org" under "Environmental Review", or the California Environmental Resources Evaluation System at "http://ceres.ca.gov/topic/env\_law/ ceqa/ guidelines/" for information about the California Environmental Quality Act.

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## Exhibit A - Initial Study References and Agency Contacts

The County Planning or Environmental Division have contacted various agencies for their comments on the proposed project. With respect to the subject application, the following have been contacted (marked with an ☒) and when a response was made, it is either attached or in the application file:

<u>Contacted</u>	<u>Agency</u>	<u>Response</u>
<input type="checkbox"/>	County Public Works Department	Not Applicable
<input type="checkbox"/>	County Environmental Health Division	Not Applicable
<input type="checkbox"/>	County Agricultural Commissioner's Office	Not Applicable
<input type="checkbox"/>	County Airport Manager	Not Applicable
<input type="checkbox"/>	Airport Land Use Commission	Not Applicable
<input type="checkbox"/>	Air Pollution Control District	Not Applicable
<input type="checkbox"/>	County Sheriff's Department	Not Applicable
<input type="checkbox"/>	Regional Water Quality Control Board	Not Applicable
<input type="checkbox"/>	CA Coastal Commission	Not Applicable
<input type="checkbox"/>	CA Department of Fish and Game	Not Applicable
<input type="checkbox"/>	CA Department of Forestry	Not Applicable
<input type="checkbox"/>	CA Department of Transportation	Not Applicable
<input type="checkbox"/>	Community Service District	Not Applicable
<input type="checkbox"/>	Other _____	Not Applicable
<input type="checkbox"/>	Other _____	Not Applicable

*\*\* "No comment" or "No concerns"-type responses are usually not attached*

The following checked ("☒") reference materials have been used in the environmental review for the proposed project and are hereby incorporated by reference into the Initial Study. The following information is available at the County Planning and Building Department.

- |   |   |
|---|---|
| <p><input checked="" type="checkbox"/> Project File for the Subject Application</p> <p><u>County documents</u></p> <p><input type="checkbox"/> Airport Land Use Plans</p> <p><input checked="" type="checkbox"/> Annual Resource Summary Report</p> <p><input type="checkbox"/> Building and Construction Ordinance</p> <p><input type="checkbox"/> Coastal Policies</p> <p><input checked="" type="checkbox"/> Framework for Planning (Coastal &amp; Inland)</p> <p><input checked="" type="checkbox"/> General Plan (Inland &amp; Coastal), including all maps &amp; elements; more pertinent elements considered include:</p> <p style="padding-left: 20px;"> <input checked="" type="checkbox"/> Agriculture &amp; Open Space Element<br/> <input checked="" type="checkbox"/> Energy Element<br/> <input checked="" type="checkbox"/> Environment Plan (Conservation, Historic and Esthetic Elements)<br/> <input checked="" type="checkbox"/> Housing Element<br/> <input checked="" type="checkbox"/> Noise Element<br/> <input type="checkbox"/> Parks &amp; Recreation Element<br/> <input checked="" type="checkbox"/> Safety Element         </p> <p><input checked="" type="checkbox"/> Land Use Ordinance</p> <p><input type="checkbox"/> Real Property Division Ordinance</p> <p><input type="checkbox"/> Trails Plan</p> <p><input type="checkbox"/> Solid Waste Management Plan</p> | <p><input type="checkbox"/> Area Plan and Update EIR</p> <p><input type="checkbox"/> Circulation Study</p> <p><u>Other documents</u></p> <p><input checked="" type="checkbox"/> Archaeological Resources Map</p> <p><input checked="" type="checkbox"/> Area of Critical Concerns Map</p> <p><input checked="" type="checkbox"/> Areas of Special Biological Importance Map</p> <p><input checked="" type="checkbox"/> California Natural Species Diversity Database</p> <p><input checked="" type="checkbox"/> Clean Air Plan</p> <p><input checked="" type="checkbox"/> Fire Hazard Severity Map</p> <p><input checked="" type="checkbox"/> Flood Hazard Maps</p> <p><input checked="" type="checkbox"/> Natural Resources Conservation Service Soil Survey for SLO County</p> <p><input checked="" type="checkbox"/> Regional Transportation Plan</p> <p><input checked="" type="checkbox"/> Uniform Fire Code</p> <p><input checked="" type="checkbox"/> Water Quality Control Plan (Central Coast Basin – Region 3)</p> <p><input checked="" type="checkbox"/> GIS mapping layers (e.g., habitat, streams, contours, etc.)</p> <p><input type="checkbox"/> Other _____</p> |
|---|---|

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## Exhibit B - Mitigation Summary Table

### TREE REMOVAL/PROTECTION

- TR-1 The applicant shall limit tree removal to no more than 0 trees having a five inch diameter or larger at four feet from the ground *and no more than 26 trees impacted*. Construction plans shall clearly delineate all trees within 50 feet of the proposed project, and shall show which trees are to be removed or impacted, and which trees are to remain unharmed.
- TR-2 At the time of application for construction permits, the applicant shall submit a tree replacement plan to be reviewed and approved by the Environmental Coordinator. The plan shall provide for the replacement, in kind at a 4:1 ratio for all *oak* trees removed as a result of the development of the project, *and in addition, shall provide for the planting, in kind at a 2:1 ratio, of oak trees to mitigate for trees impacted but not removed*. No Oaks shall be removed as a result of the development of the project, and no more than 26 trees shall be impacted, but not removed, as a result of the development of the project. Replanting shall be completed as soon as it is feasible (e.g. irrigation water is available, grading done in replant area). Replant areas shall be either in native topsoil or areas where native topsoil has been reapplied. If the latter, topsoil shall be carefully removed and stockpiled for spreading over graded areas to be replanted (set aside enough for 6-12" layer). *[An oak tree is defined as having a five inch diameter or larger at four feet from the ground.]*

Location of newly planted trees should adhere to the following, whenever possible: on the north side of and at the canopy/dripline edge of existing mature native trees; on north-facing slopes; within drainage swales (except when riparian habitat present); where topsoil is present; and away from continuously wet areas (e.g. lawns, leach lines).

These newly planted trees shall be maintained until successfully established. This shall include protection (e.g. tree shelters, caging) from animals (e.g., deer, rodents), regular weeding (minimum of once early Fall and once early Spring) of at least a three-foot radius out from plant and adequate watering (e.g., drip-irrigation system). Watering should be controlled so only enough is used to initially establish the tree, and reducing to zero over a three-year period. If possible, planting during the warmest, driest months (June through September) shall be avoided. In addition, standard planting procedures (e.g., planting tablets, initial deep watering) shall be used.

Once trees have been planted and prior to final inspection of the grading permit, the applicant shall retain a qualified individual (e.g., landscape contractor, arborist, nurseryman, botanist) to prepare a letter stating how and when the above planting and protection measures have been completed. This letter shall be submitted to the *Environmental Coordinator*.

- TR-3 To guarantee the success of the new trees, the applicant shall retain a qualified individual (e.g., arborist, landscape architect/ contractor, nurseryman) to monitor the new trees' survivability and vigor until the trees are successfully established, and prepare monitoring reports, on an annual basis, for no less seven years. Based on the submittal of the initial planting letter, the first report shall be submitted to the County Environmental Coordinator one year after the

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initial planting and thereafter on an annual basis until the monitor, in consultation with the County, has determined that the initially-required vegetation is successfully established. Additional monitoring will be necessary if initially-required vegetation is not considered successfully established. The applicant, and successors-in-interest, agrees to complete any necessary remedial measures identified in the report(s) to maintain the population of initially planted vegetation and approved by the Environmental Coordinator.

- TR-4 Prior to occupancy or final inspection, whichever occurs first, the applicant shall have completed the following as it relates to weed removal around newly planted vegetation: 1) no herbicides shall have been used; 2) either installation of a securely staked "weed mat" (covering at least a 3-foot radius from center of plant), or hand removal of weeds (covering at least a 3-foot radius from center of plant) shall be completed for each new plant (this hand removal weeding shall be kept up on a regular basis [at least once in late spring (April) and once in early winter (December) until plant is 3 feet tall or seven years, whichever occurs first. Use of weed-free mulch (at least 3" deep) with regular replenishment may be substituted for the weed-mat.
- TR-5 All oak trees identified to remain shall not be removed. Unless previously approved by the county, the following activities are not allowed within the root zone of existing or newly planted oak trees: year-round irrigation (no summer watering, unless "establishing" new tree or native compatible plant(s) for up to 3 years); grading (includes cutting and filling of material); compaction (e.g., regular use of vehicles); placement of impermeable surfaces (e.g., pavement); disturbance of soil that impacts roots (e.g., tilling).
- TR-6 The applicant recognizes that trimming of oaks can be detrimental in the following respects and agrees to minimize trimming of the remaining oaks: removal of larger lower branches should be minimized to 1) avoid making tree top heavy and more susceptible to "blow-overs", 2) reduce having larger limb cuts that take longer to heal and are much more susceptible to disease and infestation, 3) retain the wildlife that is found only in the lower branches, 4) retains shade to keep summer temperatures cooler (retains higher soil moisture, greater passive solar potential, provides better conditions for oak seedling volunteers) and 5) retain the natural shape of the tree. Limit the amount of trimming (roots or canopy) done in anyone season as much as possible to limit tree stress/shock (10% or less is best, 25% maximum). Excessive and careless trimming not only reduces the potential life of the tree, but can also reduce property values if the tree dies prematurely or has an unnatural appearance. If trimming is necessary, the applicant agrees to either use a skilled arborist or apply accepted arborist's techniques when removing limbs. Unless a hazardous or unsafe situation exists, trimming shall be done only during the winter for deciduous species.

Smaller trees (smaller than five inches in diameter at four feet above the ground) within the project area are considered to be of high importance, and when possible, shall be given similar consideration as larger trees.



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TR-7 To minimize impacts to the sensitive oak woodland understory habitat (e.g. maritime chaparral, coastal scrub), the applicant agrees to the following during construction and for the life of the project:

- a. All native vegetation removal shall be shown on all applicable grading/ construction or improvement plans, and reviewed/ approved by the County (Planning and Building Dept.) before any work begins.
- b. Vegetation removal of native habitat shall be limited to what is shown on the county-approved grading/ construction /improvement plans.
- c. Vegetation clearance for fire safety purposes shall be limited to the minimum setbacks required by CDF. Where feasible, all efforts will be made to retain as much of this vegetation within the setback as possible (e.g. remove/trim only enough vegetation to create non-contiguous islands of native vegetation).
- d. No livestock shall be allowed within the native habitat area.
- e. All allowed uses within the native habitat area shall be “passive”, where the use will have either no or minimal impact on the habitat.

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Date: July 20, 2005

Developer's Statement  
for  
Heinbockel Grading Permit PMT2004-03336

The applicant agrees to incorporate the following measures into the project. These measures become a part of the project description and therefore become a part of the record of action upon which the environmental determination is based. All development activity must occur in strict compliance with the following mitigation measures. These measures shall be perpetual and run with the land. These measures are binding on all successors in interest of the subject property.

Note: The items contained in the boxes labeled "Monitoring" describe the County procedures to be used to ensure compliance with the mitigation measures.

The following mitigation measures address impacts that may occur as a result of the development of the project.

**TREE REMOVAL/PROTECTION**

TR-1 The applicant shall limit tree removal to no more than 0 trees having a five inch diameter or larger at four feet from the ground *and no more than 26 trees impacted*. Construction plans shall clearly delineate all trees within 50 feet of the proposed project, and shall show which trees are to be removed or impacted, and which trees are to remain unharmed.

Monitoring: Department of Planning and Building will verify inclusion of required elements on plans. Building inspector will verify compliance with approved plans.

TR-2 At the time of application for construction permits, the applicant shall submit a tree replacement plan to be reviewed and approved by the Environmental Coordinator. The plan shall provide for the replacement, in kind at a 4:1 ratio for all oak trees removed as a result of the development of the project, *and in addition, shall provide for the planting, in kind at a 2:1 ratio, of oak trees to mitigate for trees impacted but not removed*. **No Oak shall be removed as a result of the development of the project, and no more than 26 trees shall be impacted, but not removed, as a result of the development of the project.** Replanting shall be completed as soon as it is feasible (e.g. irrigation water is available, grading done in replant area). Replant areas shall be either in native topsoil or areas where native topsoil has been reapplied. If the latter, topsoil shall be carefully removed and stockpiled for spreading over graded areas to be replanted (set aside enough for 6-12" layer). *[An oak tree is defined as having a five inch diameter or larger at four feet from the ground.]*

Location of newly planted trees should adhere to the following, whenever possible: on the north side of and at the canopy/dripline edge of existing mature native trees; on north-facing slopes; within drainage swales (except when riparian habitat present); where topsoil is present; and away from continuously wet areas (e.g. lawns, leach lines).

These newly planted trees shall be maintained until successfully established. This shall include protection (e.g. tree shelters, caging) from animals (e.g., deer, rodents), regular weeding (minimum of once early Fall and once early Spring) of at least a three-foot radius out from plant and adequate watering (e.g., drip-irrigation system). Watering should be controlled so only enough is used to initially establish the tree, and reducing to zero over a three-year period. If possible, planting during the warmest, driest months (June through September) shall be avoided. In addition, standard planting procedures (e.g., planting tablets, initial deep watering) shall be used.

Once trees have been planted and prior to final inspection of the grading permit, the applicant shall retain a qualified individual (e.g., landscape contractor, arborist, nurseryman, botanist) to prepare a letter stating how and when the above planting and protection measures have been completed. This letter shall be submitted to the *Environmental Coordinator*.

**Monitoring:** Compliance will be verified by the Department of Planning and Building in consultation with the Environmental Coordinator.

- TR-3 To guarantee the success of the new trees, the applicant shall retain a qualified individual (e.g., arborist, landscape architect/contractor, nurseryman) to monitor the new trees' survivability and vigor until the trees are successfully established, and prepare monitoring reports, on an annual basis, for no less seven years. Based on the submittal of the initial planting letter, the first report shall be submitted to the County Environmental Coordinator one year after the initial planting and thereafter on an annual basis until the monitor, in consultation with the County, has determined that the initially-required vegetation is successfully established. Additional monitoring will be necessary if initially-required vegetation is not considered successfully established. The applicant, and successors-in-interest, agrees to complete any necessary remedial measures identified in the report(s) to maintain the population of initially planted vegetation and approved by the Environmental Coordinator.

**Monitoring:** Compliance will be verified by the Environmental Coordinator.

- TR-4 Prior to occupancy or final inspection, whichever occurs first, the applicant shall have completed the following as it relates to weed removal around newly planted vegetation: 1) no herbicides shall have been used; 2) either installation of a securely staked "weed mat" (covering at least a 3-foot radius from center of plant), or hand removal of weeds (covering at least a 3-foot radius from center of plant) shall be completed for each new plant (this hand removal weeding shall be kept up on a regular basis [at least once in late

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spring (April) and once in early winter (December) until plant is 3 feet tall or seven years, whichever occurs first. Use of weed-free mulch (at least 3" deep) with regular replenishment may be substituted for the weed-mat.

**Monitoring:** Compliance will be verified by the Department of Planning and Building, in consultation with the Environmental Coordinator.

- TR-5 All oak trees identified to remain shall not be removed. Unless previously approved by the county, the following activities are not allowed within the root zone of existing or newly planted oak trees: year-round irrigation (no summer watering, unless "establishing" new tree or native compatible plant(s) for up to 3 years); grading (includes cutting and filling of material); compaction (e.g., regular use of vehicles); placement of impermeable surfaces (e.g., pavement); disturbance of soil that impacts roots (e.g., rilling).

**Monitoring:** Department of Planning and Building, in consultation with the Environmental Coordinator, will be available to advise applicants on tree protection issues.

- TR-6 The applicant recognizes that trimming of oaks can be detrimental in the following respects and agrees to minimize trimming of the remaining oaks: removal of larger lower branches should be minimized to 1) avoid making tree top heavy and more susceptible to "blow-overs", 2) reduce having larger limb cuts that take longer to heal and are much more susceptible to disease and infestation, 3) retain the wildlife that is found only in the lower branches, 4) retains shade to keep summer temperatures cooler (retains higher soil moisture, greater passive solar potential, provides better conditions for oak seedling volunteers) and 5) retain the natural shape of the tree. Limit the amount of trimming (roots or canopy) done in any one season as much as possible to limit tree stress/shock (10% or less is best, 25% maximum). Excessive and careless trimming not only reduces the potential life of the tree, but can also reduce property values if the tree dies prematurely or has an unnatural appearance. If trimming is necessary, the applicant agrees to either use a skilled arborist or apply accepted arborist's techniques when removing limbs. Unless a hazardous or unsafe situation exists, trimming shall be done only during the winter for deciduous species.

Smaller trees (smaller than five inches in diameter at four feet above the ground) within the project area are considered to be of high importance, and when possible, shall be given similar consideration as larger trees.

**Monitoring:** Department of Planning and Building, in consultation with the Environmental Coordinator, will be available to advise applicants on tree trimming issues.

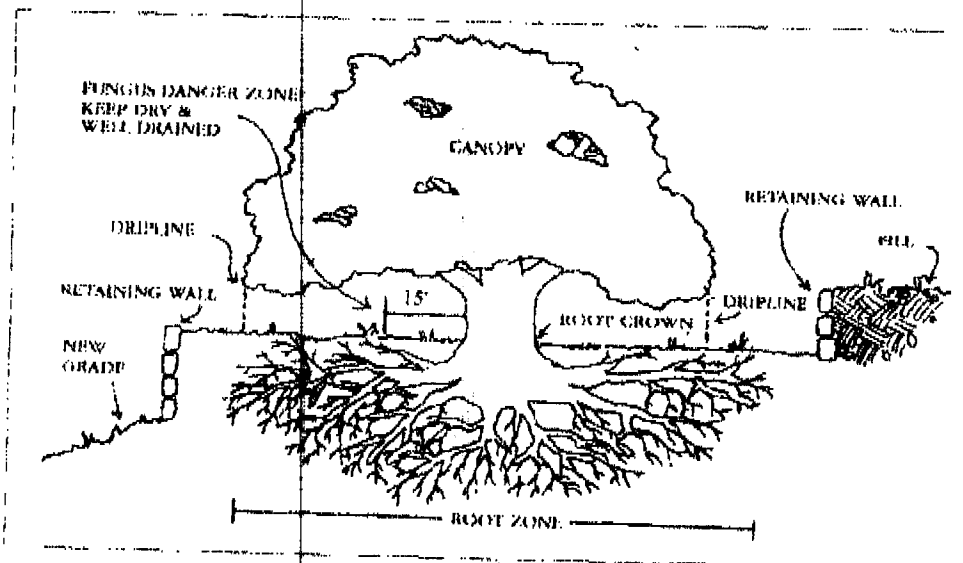
- TR-7 To minimize impacts to the sensitive oak woodland understory habitat (e.g. maritime chaparral, coastal scrub), the applicant agrees to the following during construction/ tract

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improvements and for the life of the project:

- a. All native vegetation removal shall be shown on all applicable grading/ construction or improvement plans, and reviewed/ approved by the County (Planning and Building Dept.) before any work begins.
- b. Vegetation removal of native habitat shall be limited to what is shown on the county-approved grading/ construction /improvement plans.
- c. Vegetation clearance for fire safety purposes shall be limited to the minimum setbacks required by CDF. Where feasible, all efforts will be made to retain as much of this vegetation within the setback as possible (e.g. remove/trim only enough vegetation to create non-contiguous islands of native vegetation).
- d. No livestock shall be allowed within the native habitat area.
- e. All allowed uses within the native habitat area shall be "passive", where the use will have either no or minimal impact on the habitat.
- f. Any CC&R's created shall include the above provisions to minimize impacts to the native habitat.

**Monitoring:** Department of Planning and Building, in consultation with the Environmental Coordinator, will be available to advise applicants on native vegetation removal/protection issues.



~~10-36~~**Contact Information**

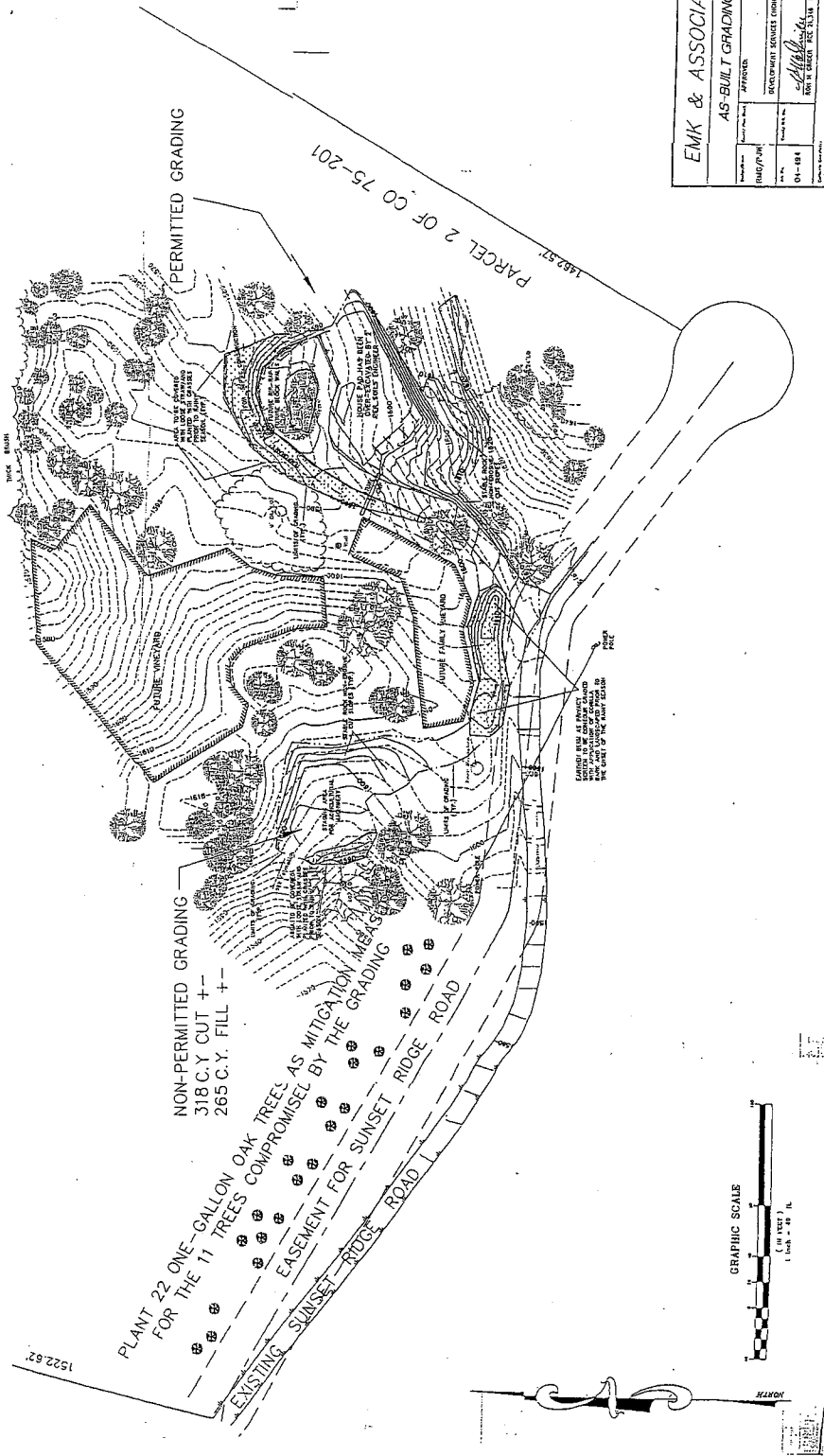
County of San Luis Obispo  
Department of Planning and Building  
Division of Environmental and Resource Management  
County Government Center, Room 310  
San Luis Obispo, CA 93408  
ATTN: Ms. Julie Eliason

The applicant understands that any changes made to the project description subsequent to this environmental determination must be reviewed by the Environmental Coordinator and may require a new environmental determination for the project. By signing this agreement, the owner(s) agrees to and accepts the incorporation of the above measures into the proposed project description.

Signature of Owner(s)

Date

Name (Print)



PROJECT

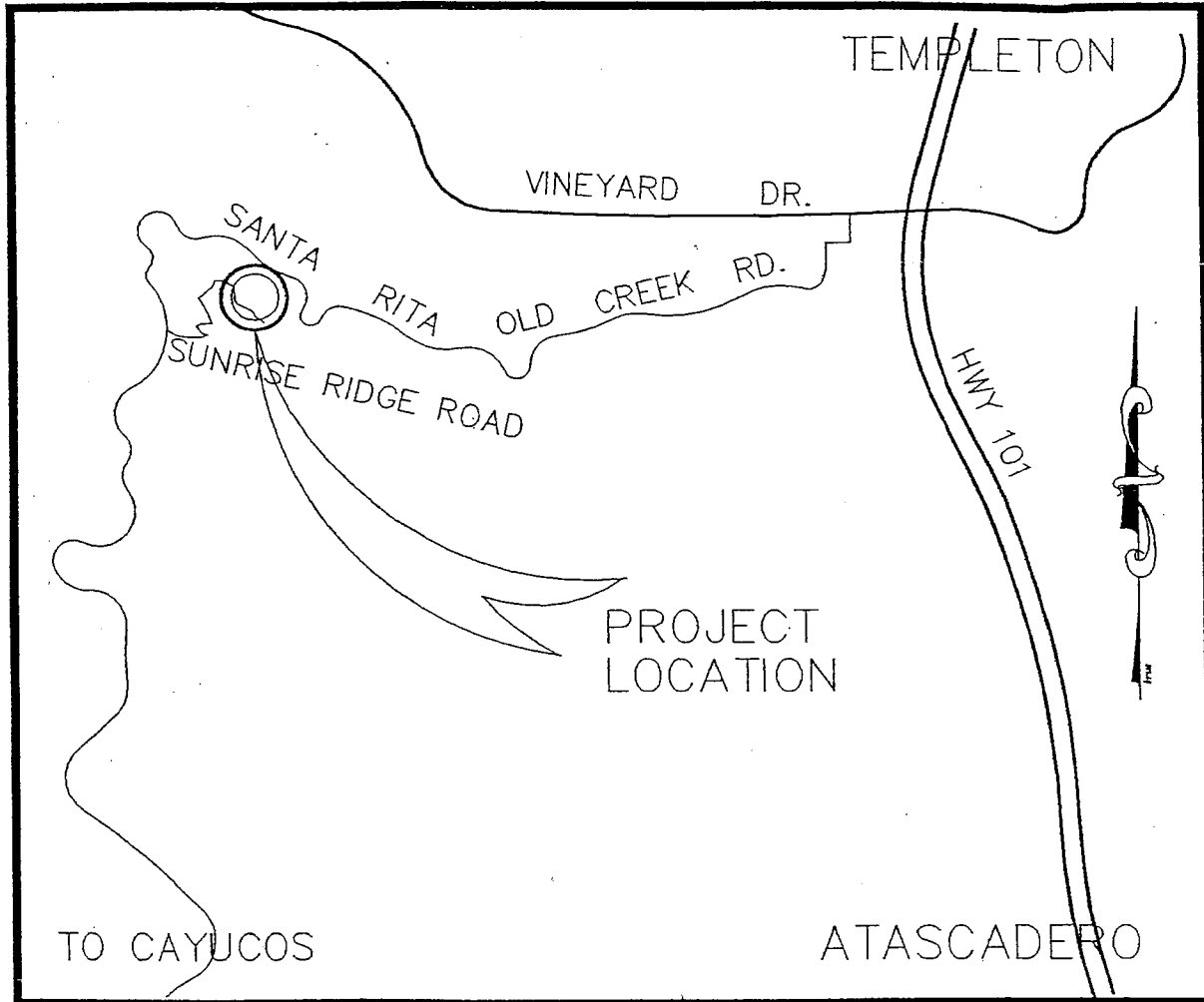
Heinbockel  
PMT2004-03336

EXHIBIT

Site Plan



## 3770 SUNRISE RIDGE ROAD, TEMPLETON, CA.



**PROJECT**

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**EXHIBIT**

Vicinity Map